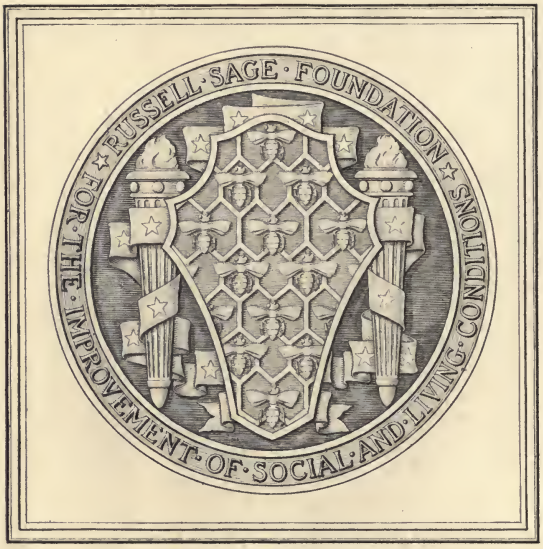
A MODEL TENEMENT HOUSE LAW

VEILLER


RUSSELL · SAGE · FOUNDATION
FOR · THE · IMPROVEMENT · OF · SOCIAL · AND · LIVING · CONDITIONS

OP
a74
x194

From the collection of the

San Francisco, California
2006

A MODEL
TENEMENT HOUSE LAW

RUSSELL SAGE FOUNDATION PUBLICATIONS

HOUSING REFORM: A Hand-book for Practical Use in American Cities. By LAWRENCE VEILLER. Foreword by Robert W. de Forest. 220 pages. Price, postpaid, $1.25.

THE STANDARD OF LIVING AMONG WORKINGMEN'S FAMILIES IN NEW YORK CITY. By ROBERT COIT CHAPIN, Ph.D. 388 pages. 131 tables. 16 diagrams. Price, postpaid, $2.00.

MEDICAL INSPECTION OF SCHOOLS. By LUTHER HALSEY GULICK, M.D., and LEONARD P. AYRES, A.M. 286 pages. Third edition. Price, postpaid, $1.00.

LAGGARDS IN OUR SCHOOLS: A Study of Retardation and Elimination in City School Systems. By LEONARD P. AYRES, A.M. 252 pages. 106 tables. 38 diagrams. Price, postpaid, $1.50.

THE PITTSBURGH SURVEY. Findings in six volumes. Butler's "Women and the Trades," published January, 1910. 440 pages. Price, $1.50. By mail, $1.72. (Other volumes in preparation.)

THE CAMPAIGN AGAINST TUBERCULOSIS IN THE UNITED STATES: Including a Directory of Institutions dealing with Tuberculosis in the United States and Canada. Compiled under the direction of the National Association for the Study and Prevention of Tuberculosis. By PHILIP P. JACOBS. 467 pages. Price, postpaid, $1.00.

A MODEL TENEMENT HOUSE LAW. By LAWRENCE VEILLER. 130 pages. Price, postpaid, $1.25.

AMONG SCHOOL GARDENS. By M. LOUISE GREENE, M.Pd., Ph.D. Illus. 380 pages. Price, postpaid, $1.25.

REPORT ON THE DESIRABILITY OF ESTABLISHING AN EMPLOYMENT BUREAU IN THE CITY OF NEW YORK. By EDWARD T. DEVINE, Ph.D., LL.D. 238 pages. Paper. Price, postpaid, $1.00.

THE SALARY LOAN BUSINESS IN NEW YORK CITY. By CLARENCE W. WASSAM, Ph.D. With Extracts from an unpublished Report by FRANK JULIAN WARNE, Ph.D. 143 pages. Paper. Price, postpaid, 75 cents.

THE CHATTEL LOAN BUSINESS. By ARTHUR H. HAM. 60 pages. Paper. Price, postpaid, 25 cents.

CHARITIES PUBLICATION COMMITTEE
105 EAST 22D STREET, NEW YORK
158 ADAMS STREET, CHICAGO

RUSSELL SAGE
FOUNDATION

—

A MODEL TENEMENT HOUSE LAW

BY
LAWRENCE VEILLER
AUTHOR OF "HOUSING REFORM," ETC.

NEW YORK
CHARITIES PUBLICATION
COMMITTEE . . . . MCMX

Copyright, 1910, by
The Russell Sage Foundation

PRESS OF WM. F. FELL CO.
PHILADELPHIA

TABLE OF CONTENTS

PAGE

I. SOME GENERAL CONSIDERATIONS . 1

II. A MODEL TENEMENT HOUSE LAW 11–120

CHAPTER I

General Provisions 13

CHAPTER II

New Buildings 21

Title 1. Light and Ventilation . . . 21

Title 2. Sanitation 36

Title 3. Fire Protection 44

CHAPTER III

Alterations 57

CHAPTER IV

Maintenance 69

CHAPTER V

Improvements 89

CHAPTER VI

Requirements and Remedies 105

INDEX 123

I

SOME GENERAL CONSIDERATIONS

I

SOME GENERAL CONSIDERATIONS

WHEREVER tenement reform is undertaken much time and effort are usually given to the preparation of a housing law. This is a difficult task, accomplished only after much labor by one or two public-spirited citizens who, as a rule, come to it unprepared. When put into practise it frequently develops that many important matters have been overlooked, that some parts have been so drawn as not to accomplish what was intended, that others are so involved that they are understood neither by the officials who have to enforce them nor by the citizens who are called upon to obey them. The usual procedure heretofore has been to take the New York law as a base, comparing it in some instances with similar laws of other cities, and then to make such changes as seem desirable. This method has not proved very satisfactory.

The present New York law when originally enacted, nine years ago, was comparatively simple —today, because of frequent amendment, it is rather complicated. It is, moreover, framed to meet the peculiarly aggravated conditions which

prevail there and which exist to the same degree in no other city. In addition, excellent as the New York law is, it is by no means ideal but only the best law that could be obtained at the time of its passage. In this connection it should be remembered that its enactment was secured forty years too late; that *then* conditions had so developed, property values had increased so abnormally through so many years, the existing types of multiple dwelling had become so fixed that it was not possible at that late day to more nearly approach ideal standards. To illustrate:

The New York law limits the height of non-fireproof tenement houses hereafter erected to six stories. This in no sense represented the views of the framers of that law as to what was desirable.

Had conditions permitted, they would gladly have recommended that the limit be fixed at four stories and even three stories. But this was not practicable in 1901 when the law was enacted. Owing to the high land values and the cost of building, a four-story tenement could not then have been erected on Manhattan Island and made to pay; nor indeed could a five-story one, without unduly raising rents and seriously increasing the cost of living. In other words, the law represents not ideal standards, but only those standards that were possible of adoption at the time of its enactment.

How unwise, therefore, for other cities to copy arbitrarily such requirements and embody them

in their statutes. No American city today need be satisfied with the New York standard for the limitation of height of new non-fireproof tenements. Very few cities need fix their standard at five stories, while many may still safely keep it at four, and most of them at three.

Similarly, with regard to the provision for open spaces for light and ventilation. In New York it is not possible today to fix the minimum depth of yards in new six-story tenements at more than thirteen feet; anything more than this would make the building of such houses in Manhattan unprofitable owing to the excessive land values which there prevail. In other cities, however, it is still entirely feasible to fix such standards at twenty or even twenty-five feet. So, with regard to the percentage of lot that may be occupied, the New York law limits this to 70 per cent; other cities can and should fix the limits, while it is still possible, at 60 and even 50 per cent.

For these reasons the New York law is not to be closely copied by other American cities; nor is it the right standard for those cities. Other communities where housing evils are not so firmly entrenched can adopt higher standards than today are possible in New York.

It is because of all these considerations that the "Model Law" has been prepared. It is not meant to be an ideal or perfect statute. It is not in that sense "model". It *is* intended, however, to serve as a working model. It is meant as the

basis of a tenement house law for every American city.

All those enactments which any city would wish to make to regulate past, present and prospective housing evils have been included.

It has been prepared for practical use by laymen, as well as by lawyers and public officials, and has been kept as simple and concise in form as it is possible to make it.

Housing laws deal with the construction of new buildings, the alteration of existing ones and the maintenance of all, and are used therefore by many different classes in the community: builders, architects, plumbers, iron workers, owners, tenants, social workers. Ordinarily each individual is compelled to hunt through all parts of a tenement law to find those provisions in which he is interested.

In this respect the model law represents a great advance. The various provisions have here been so classified that each person can quickly and readily find those matters which interest him. A builder need only consider the provisions of one chapter of the law, viz., that relating to "New Buildings". A man wishing to alter his house will find everything bearing on it in one separate chapter entitled "Alterations"; the landlord will find grouped together under "Maintenance", in another chapter, all those provisions which govern the maintenance of such houses; and here,

too, tenants and social workers will find what they want to know.

The law is divided into six chapters: Chapter I, General Provisions (including Definitions). Chapter II, New Buildings. (This again is divided into three divisions: Title 1. Light and Ventilation. Title 2. Sanitation. Title 3. Fire Protection). Chapter III, Alterations. Chapter IV, Maintenance. Chapter V, Improvements, and Chapter VI, Requirements and Remedies.

Another advantage of this plan of classification is that it enables people in a given community to adapt their laws to local needs and conditions. Take for instance the difficult and perplexing problem of compulsory improvements in the older houses, the cutting in of windows, the removal of privies and the installation of modern plumbing, etc. No features of a tenement house law arouse so much opposition as these, and naturally so. Owners who have been permitted for years to maintain their houses in a certain condition, when suddenly called upon to make extensive alterations—sometimes at considerable cost, and often without any compensating financial return—are naturally roused into active opposition.

With the plan of classification adopted in the Model Law, which puts all these requirements for compulsory improvements in a separate chapter, it becomes possible for persons interested in housing reform in any city, in formulating their legislation, either to omit entirely such requirements,

or to postpone their enactment for a few years, until the more fundamental requirements for the proper maintenance of such houses, and the regulation of the types of new buildings have been secured and the community has become accustomed to the new order of things and adjusted itself to it.

The model law thus enables each community to proceed intelligently and, as conditions warrant, either to legislate for the remedy of all evils at one step, or to proceed cautiously, one step at a time—one year taking up the proper maintenance of tenement houses, another year the regulation of new buildings, and later the improvement of the older ones.

A tenement law to be effective should be adjusted to local needs. What is necessary and permissible in New York, may not be necessary in Chicago or Philadelphia. To meet this situation, a plan has been adopted of printing in capital letters those standards which may vary in each city; thus, in the provision dealing with the percentage of lot permitted to be occupied, in the model law this is fixed at SIXTY per cent. Some cities will wish to limit it to fifty, others to sixty-five, others to seventy, etc.; all that each city needs to do is to change the one word SIXTY and leave the rest of the section as it is. The convenience of such a plan is obvious.

It should be distinctly understood that where there is no featuring of a standard, it means that

the requirement is deemed right for every city, and should be enacted without change, if enacted at all.

Some cities will find it desirable to omit many sections of the law, others to omit whole chapters. Too much emphasis cannot be placed upon adhering *strictly* to the phraseology and punctuation of the Model Law. Efforts should not be made to "improve" or "simplify" it. Every word, every comma has been weighed and has its exact meaning. Many of the provisions have stood the test of many years' enforcement and interpretation.

After each section, will be found explanatory notes giving briefly the reasons for its enactment and commenting on the more important points.

One word as to Housing Laws and Tenement House Laws. There is a difference. This is a Model Tenement House Law, not a model housing law. It applies and is intended to apply only to multiple dwellings; that is, tenement houses. The standard fixed in the model law, differentiating the two, is the standard that has been adopted in most American cities, namely, the occupancy by three families or more. If it is desired to raise this standard, to bring two-family houses under the law, this can be done by simply changing one word in the definition of a tenement house. Similarly, if it is desired to make this a housing law applicable to all dwelling houses, this can be done by changing the title, by sub-

stituting for the definition of a tenement house, a definition of a dwelling house, and by changing the words "tenement house" wherever they occur to "dwelling house". If this is done, however, the law should be subjected to the closest scrutiny to determine whether all of its provisions should then be retained.

It is presupposed that the principles which govern tenement house legislation, as well as the problems involved in the administration of such statutes, all discussed fully in "Housing Reform",* are known to the reader.

* HOUSING REFORM. By Lawrence Veiller. With Foreword by Robert W. deForest. Charities Publication Committee, New York, 1910. 214 pages. Price, postpaid, $1.25.

II

A MODEL TENEMENT HOUSE LAW

AN ACT

In Relation to Tenement Houses in Cities of

.....

The People of the State of ,
represented in Senate and Assembly, do enact as follows:

Chapter I

GENERAL PROVISIONS

§ 1. Short Title. This act shall be known as the Tenement House Act.

§ 2. Definitions. Certain words in this act are defined for the purposes thereof as follows. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular; the word "person" includes a corporation as well as a natural person.

(1) A "tenement house" is any house or building, or portion thereof, which is rented, leased, let or hired out, to be occupied, or is occupied, or is intended, arranged or designed to be occupied as the home or residence of THREE families or

more living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways, yard, cellar, water-closets or privies, or some of them, and includes apartment houses and flat houses.

This definition includes all classes of multiple dwellings containing three families or more, whether popularly known as tenements, flats or apartments. Pressure will be brought to exclude from the provisions of a tenement law the better grade flats and apartments. This should not be done. There are no provisions of the law which apply to the cheapest tenement which should not equally apply to the highest class apartment and flat. The rich as well as the poor are entitled to light and air, proper sanitation, privacy, and reasonable fire protection. There is also no way of drawing a legal distinction between these various classes of tenements which will be sound and which will not result in evasion and nullification of the statute.

If, for reasons of policy, it is desired not to emphasize this issue, the last phrase of the section reading as follows: "and includes apartment houses and flat houses" may be omitted. The legal effect of the section will be the same without it. It should be noted that this definition does not include hotels nor lodging houses. It should not do so. The problems of the common lodging house occupied by homeless men or homeless women are totally different from the problems of

the tenement house occupied by families. The two should not be confused. No city should set its standard of what constitutes a tenement house at more than three families. Some cities may find it desirable to make the standard two families, though this is a large question.

(2) A "yard" is an open unoccupied space on the same lot with a tenement house, between the extreme rear line of the house and the extreme rear line of the lot.

The words "on the same lot" are essential. Do not permit the lighting of buildings from open spaces on other premises, as ultimately these may be built up and the light is then withdrawn.

(3) A "court" is an open unoccupied space, other than a yard, on the same lot with a tenement house. A court not extending to the street or yard is an inner court. A court extending to the street or yard is an outer court.

The comment appended to the preceding section applies equally to this.

(4) A "shaft" includes exterior and interior shafts, whether for air, light, elevator, dumb-waiter, or any other purpose.

(5) A "public hall" is a hall, corridor or passageway not within an apartment.

(6) A "stair hall" includes the stairs, stair landings and those portions of the public halls

through which it is necessary to pass in going between the entrance floor and the roof.

(7) A "basement" is a story partly but not more than one-half below the level of the curb.

(8) A "cellar" is a story more than one-half below the level of the curb.

(9) A "fireproof tenement house" is one the walls of which are constructed of brick, stone, cement, iron or other hard incombustible material, and in which there are no wood beams or lintels, and in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, cement, iron or other hard incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings or ceilings. But this definition shall not be construed as prohibiting, elsewhere than in the stair halls or entrance halls, the use of wooden flooring on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails and hard-wood treads such as described in section forty-four of this act.

(10) A "wooden building" is a building of which the exterior walls or a portion thereof are of wood.

(11) The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and it is further enacted that whatever is dangerous to human life or detrimental to health; whatever building or erection, or part or cellar thereof, is over-

crowded with occupants, or is not provided with adequate ingress and egress to and from the same, or the apartments thereof, or is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted, in reference to their or its intended or actual use; and whatever renders the air or human food or drink, unwholesome, are also severally in contemplation of this act, nuisances; and all such nuisances are hereby declared illegal.

(12) The word "shall" is always mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate as long as it continues to be a tenement house.

> This is important. Without it, the word "shall" is sometimes construed by the courts to mean "may". Many of the provisions of the law should be mandatory, not permissive, especially the provisions relating to new buildings. The phrase also that "the house shall be maintained in all respects according to the mandate" is important as it prohibits the alteration of such a building after it has been erected, otherwise than in accordance with the law.

(13) Wherever the words "charter," "ordinances," "regulations," "department of buildings," "health department," "department charged with the enforcement of this act," "corporation counsel," "city treasury" or "fire limits" occur in this act they shall be construed as if followed

by the words "of the city in which the tenement house is situated." Wherever the words "is occupied" are used in this act, applying to any building, such words shall be construed as if followed by the words "or is intended, arranged or designed to be occupied."

(14) The "height" of a tenement house is the perpendicular distance measured in a straight line from the curb level to the highest point of the roof beams, the measurements in all cases to be taken through the center of the façade of the house. Where a building is on a corner lot and there is more than one grade or level, the measurements shall be taken through the center of the façade on the street having the greatest grade.

§ 3. Buildings Converted or Altered. A building not erected for use as a tenement house, if hereafter converted or altered to such use, shall thereupon become subject to all the provisions of this act affecting tenement houses hereafter erected.

> Without this provision the law can be completely evaded by erecting all new buildings in the guise of alterations to existing houses leaving a portion of the building standing for a while, while the new work is going on, and then tearing down that portion and later rebuilding there; thus, ultimately, getting a new building without compliance with the law. In addition, without this the ten-

dency would be to alter existing houses rather than to build new tenements, which should be discouraged as this tends to perpetuate the evils of the older buildings.

§ 4. Alterations and Change in Occupancy. No tenement house hereafter erected shall at any time be altered so as to be in violation of any provision of this act. And no tenement house erected prior to the passage of this act shall at any time be altered so as to be in violation of those provisions of this act applicable to such tenement houses. If any tenement house or any part thereof is occupied by more families than provided in this act, or is erected, altered or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the health department may cause such building to be vacated. And such building shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the law.

No tenement house should be permitted to be altered so as to be in violation of the law. Nor should it be occupied in future by more families than that for which it was intended at the time it was built.

§ 5. Law Not to be Modified. Except as herein otherwise specified, every tenement house shall be constructed and maintained in conformity with the existing law, but no ordinance, regulation or ruling of any municipal authority shall

repeal, amend, modify or dispense with any provision of this act.

> This is one of the most important sections of the whole law. It prevents the misuse of so-called "discretionary power". It is of little value to work out carefully in detail, the exact requirements that are necessary, for instance, to ensure adequate light and ventilation or proper sanitation, if some local official has the power at any time to set aside or modify, at his pleasure, these essential requirements. The section as drawn will prevent any modification of the act (in case it is a state law by local boards of aldermen or similar bodies) by the Health Commissioner, or by the Superintendent of Buildings, or by any board of examiners or board of appeal attached to the building department.

§ 6. TIME FOR COMPLIANCE. All improvements specifically required by this act upon tenement houses erected prior to the date of its passage, shall be made within ONE YEAR from said date, or at such earlier period as may be fixed by the health department.

> If chapter V dealing with improvements to existing houses is not included in a particular tenement law, this section is then unnecessary and should be omitted.

CHAPTER II

NEW BUILDINGS

In this Chapter will be found all the Provisions which must be Observed when a Person Proposes to Build a New Tenement House, or to Convert or Alter to such Purposes a Building which is not then a Tenement House.

Chapter II

NEW BUILDINGS

TITLE 1—LIGHT AND VENTILATION

§ 10.* Percentage of Lot Occupied. No tenement house hereafter erected shall occupy more than EIGHTY per centum of a corner lot, nor more than SIXTY per centum of any other lot; the measurements shall be taken at the ground level.

In some cities it is permitted to take the measurements at the level of the second tier of beams; that is, to permit the yard spaces and in some cases the court spaces to be covered over on the ground floor, especially in the case of corner buildings. For interior lots this is not necessary in any American city. For corner lots it may be necessary in some cities. It is only necessary where land-values are abnormally high and there is the necessity of using much ground-floor space for shops.

* Following the custom in many states, gaps are purposely left in the numbering of the sections so as to provide for new sections which later it may be found necessary to enact, thus preserving the continuity of the numbering. Under this system chapter I ends with section 6, and chapter II begins with section 10. Chapter II ends with section 52 and chapter III begins with section 60.

§ 11. HEIGHT. No tenement house hereafter erected shall exceed in height THE WIDTH of the widest street upon which it stands.

§ 12. YARDS. Behind every tenement house hereafter erected there shall be a yard extending across the entire width of the lot, and at every point open from the ground to the sky unobstructed. The depth of said yard, measured from the extreme rear wall of the house to the rear line of the lot, shall be proportionate to the height of the building. In the case of tenement houses hereafter erected which are FORTY-EIGHT FEET in height, the yard shall be not less than EIGHTEEN FEET in depth in every part. Said yard shall be increased in depth TWO FEET for every additional TWELVE FEET of height of the building, or fraction thereof; and may be decreased in depth TWO FEET for every TWELVE FEET of height of the building less than FORTY-EIGHT FEET; but it shall never be less than FIFTEEN FEET in depth in any part.

The yards of both corner and interior lots are here placed on the same basis, and the same minimum established for each. This is desirable as affording adequate means of ventilating the interior of blocks. In many cities yards of corner buildings are allowed to be considerably less than yards of buildings on interior lots. If this is found desirable this section should be amended as fol-

lows: line eight after the words "In the case of tenement houses hereafter erected which are FORTY-EIGHT FEET in height, the yard" insert the following: *"on lots other than a corner lot."* Also in line eleven after the words "EIGHTEEN FEET in depth in every part", insert the following: *"and on corner lots the yard shall be not less than TWELVE FEET in depth in every part"*. And at the end of said section add the following: "in the case of lots other than a corner lot, nor in the case of corner lots less than TWELVE FEET in depth in any part."

§ 13. COURTS. The sizes of all courts shall be proportionate to the height of the building. No court shall be less in any part than the minimum sizes prescribed in this section. In the case of tenement houses hereafter erected which are FORTY-EIGHT FEET in height, the width of all courts shall be not less than TWELVE FEET in any part; and for every TWELVE FEET of increase or fraction thereof in the height of the said building, such width shall be increased ONE FOOT throughout the entire height of said court; and for every TWELVE FEET of decrease in the height of the said building below FORTY-EIGHT FEET such width may be decreased ONE FOOT, but no court shall ever be less than TEN FEET in width in any part. In the case of inner courts, the length of such courts shall never be less than

TWICE the minimum width prescribed by this section.

The minimum width of such courts must be measured from the wall of the court to the lot line of the property. Vacant lots on adjoining premises cannot wisely be included, as later they may be built upon and the light and air will be shut out. The only way to ensure permanent adequate light and ventilation is to provide it on the same premises. The minima here established are intended to be the minima for each lot.

§ 14. Courts Open at Top. No court of a tenement house hereafter erected shall be covered by a roof or skylight, but every such court shall be at every point open from the ground to the sky unobstructed.

§ 15. Air-Intakes. Every inner court shall be provided with two or more horizontal air-intakes at the bottom. One such intake shall always communicate directly with the street and one with the yard, and shall consist of a fireproof passageway not less than three feet wide and seven feet high which shall be left open, or be provided with an open gate at each end.

The purpose of this requirement is to provide a means of renewing the air in inner courts. Most air currents are horizontal; without these intakes or tunnels the air in an inner court is pretty sure to be stagnant most of

the time except at the top story. With this provision, however, excellent ventilation is furnished. This system has been in vogue for some years in other cities and has given great satisfaction. These tunnels also afford means of exit from the yard to the street in case of fire.

§ 16. Angles in Courts. Nothing contained in the foregoing sections concerning courts shall be construed as preventing windows at the angles of said courts, provided that the running length of the wall containing such windows does not exceed six feet.

This is to permit cutting off the corner of a court so as to secure a window at an angle, thus obtaining better light. The limitation to six feet in length of the portion of the wall thus set at an angle is necessary, as otherwise evasion of the requirement establishing the minimum width of the court would be possible; the wall running at an angle might be made so as to almost coincide with the entire length of the court, thus materially reducing the width desired.

§ 17. Rear Tenements. No tenement house shall hereafter be erected upon the rear of a lot where there is a tenement house on the front of the said lot, nor upon the front of any such lot upon the rear of which there is such a tenement house.

It would seem that rear tenements should not be built in the future. If it is desired

to permit them, all that is necessary to do is to omit this section. The subsequent section will entirely provide for the conditions under which such houses may be built.

§ 18. Buildings on Same Lot with Tenement Houses. If any building is hereafter placed on the same lot with a tenement house there shall always be maintained between the said buildings an open unoccupied space extending upwards from the ground and extending across the entire width of the lot; where either building is FORTY-EIGHT FEET in height such open space shall be TWENTY-FOUR FEET from wall to wall; and for every TWELVE FEET of increase or fraction thereof in the height of such building, such open space shall be increased TWO FEET in depth throughout its entire width, and for every TWELVE FEET of decrease in the height of such building below FORTY-EIGHT FEET, the depth of such open space may be decreased TWO FEET. And no building of any kind shall be hereafter placed upon the same lot with a tenement house so as to decrease the minimum size of courts or yards as hereinbefore prescribed. And if any tenement house is hereafter erected upon any lot upon which there is already another building, it shall comply with all of the provisions of this act, and in addition the space between the said building and the said tenement house shall be of such size and arranged in such manner as is prescribed in this section, the height of the

highest building on the lot to regulate the dimensions.

> If there are to be in the future several buildings on the same lot, it is essential that there should be an ample open space between the buildings and also at the rear of the rear building, so that all rooms will have adequate light and ventilation. This section applies to the case of a building not a tenement being placed on the same lot with a tenement house either on the front, rear or side, and limits the minimum size of open space proportionately to the height of the buildings. It also provides for the case where a tenement house is built on a lot where there is no tenement house at present but where there are other buildings.

§ 19. Rooms, Lighting of and Ventilation of. In every tenement house hereafter erected every room, including water-closet compartments and bath-rooms, shall have at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter and such window shall be so located as to properly light all portions of such rooms.

§ 20. Windows in Rooms. In every tenement house hereafter erected the total window area in each room, including water-closet compartments and bath-rooms, shall be at least one-tenth of the superficial area of the room, and the top of at least one window shall not be less than seven feet

six inches above the floor, and the upper half of it shall be made so as to open the full width. No such window shall be less than twelve square feet in area between the stop beads.

In many cities windows for water-closet compartments and bath-rooms are permitted to be of a small size. This is unnecessary and undesirable. Water-closets in tenements need larger windows even than bedrooms, as light and ventilation are more necessary here than in any other part of the house.

§ 21. Rooms, Size of. In every tenement house hereafter erected all rooms, except water-closet compartments and bath-rooms, shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than ONE HUNDRED AND FIFTY SQUARE FEET of floor area, and each other room shall contain at least NINETY SQUARE FEET of floor area. Each room shall be in every part not less than NINE FEET high from the finished floor to the finished ceiling.

It is important not to permit rooms in new houses to be too small. The standard established here is considered adequate. To make bedrooms larger as a matter of compulsory regulation is not wise nor necessary. The requirement that one other room in each apartment shall be of a certain size means that either the kitchen, the parlor or the dining room shall be of such size. It is not

wise to limit it definitely to the so-called "living room" as it too closely restricts the planning of the building. Rooms in new houses should not be less than nine feet high when finished.

§ 22. Alcoves and Alcove Rooms. In a tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated as provided for rooms in the foregoing sections and shall be not less than NINETY SQUARE FEET in area. No part of any room in a tenement house hereafter erected shall be enclosed or subdivided at any time, wholly or in part, by a curtain, portiere, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or subdivided shall contain a separate window as herein required and shall have a floor area of not less than NINETY SQUARE FEET.

This section is vitally important. Without it, unscrupulous builders in some cities have built long narrow rooms and later subdivided them into two rooms, making half of them dark and without outside ventilation. This section does not prohibit the alcove treatment of rooms, but does prohibit an alcove without outside ventilation and too small in size to be used separately as a room.

§ 23. Chimneys and Fireplaces. In every tenement house hereafter erected there shall be adequate chimneys running through every floor

with an open fireplace or grate, or place for a stove, for every apartment, properly connected with one of said chimneys.

> This provision is not for the tenants' comfort or convenience but is necessary to secure proper ventilation. It is especially important in apartments where there is no "through" ventilation.

§ 24. PRIVACY. In every tenement house hereafter erected, in each apartment access to every living room and bedroom and to at least one water-closet compartment shall be had without passing through any bedroom.

> This does not mean that there must be a private hall provided for each apartment. It means that the rooms shall be so arranged that access to the bedrooms and one water-closet compartment shall be either through the kitchen, parlor, library, dining room or private hall. In apartments where there are several bath-rooms and water-closet compartments, it does not mean that access to *every* water-closet compartment shall be had without passing through a bedroom, but that there shall be at least one water-closet compartment to which access may thus be had. This provision is made especially necessary by the practice of tenants taking lodgers and boarders into their apartments.

§ 25. PUBLIC HALLS. In every tenement house hereafter erected, every public hall shall have at

each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter. Such window shall be at the end of said hall with the plane of the window at right angles to the hall's axis. Any part of a public hall which is shut off from any other part of said hall by a door shall be deemed a separate hall within the meaning of this section.

In some cities the public halls are lighted and ventilated by windows opening on courts. This is not necessary in most cities and not desirable in any. The proper method is to extend the hall through, either to the front or the rear of the building, thus securing a window on the street or yard. Where both can be had it is best. This is of great importance as the public halls and stairs are the parts of the building most generally neglected. If dark, they are often apt to be kept in a filthy condition, and act as a breeding place for germs of tuberculosis and other diseases. Dark halls also lead to immorality and are a serious sanitary evil. Every effort should be made to get the public halls and stairs as light as possible. The subdivision of a long public hall by doors shutting it off into sections and thus creating dark portions of it, should be prevented. The last sentence in this section addresses itself to this evil. There is no objection to shutting off

the halls; but if it is done, the portions shut off must be separately lighted and ventilated.

§ 26. Windows and Skylights for Public Halls, Size of. One at least of the windows provided to light each public hall or part thereof shall be at least TWO FEET SIX INCHES wide and FIVE FEET high, measured between stop beads. In every such house there shall be in the roof, directly over each stair-well, a ventilating skylight provided with ridge ventilators having a minimum opening of FORTY SQUARE INCHES, or such skylight shall be provided with fixed or movable louvres.

§ 27. Windows for Stair Halls, Size of. In every tenement house hereafter erected there shall be provided for each story at least one window to light and ventilate each stair hall which shall be at least TWO AND A HALF FEET wide and FIVE FEET high, measured between the stop beads. A sash door shall be deemed the equivalent of a window in this and the two foregoing sections, provided that such door contains the amount of glazed surface prescribed for such windows.

Note that this does not require that the window for the stair hall shall be provided *at* each story but *for* each story. This permits, therefore, a window on the stair landing, a form of construction which will be found desirable and in many cases necessary. The

light is thus thrown on the half flight of stairs going up and on the half flight going down. Sash doors are permitted as the equivalent of windows so as to provide for types of buildings using outside stairs; also so as to permit French-window treatment if desired.

TITLE 2—SANITATION

§ 30. Basement and Cellar Rooms. In tenement houses hereafter erected no room in the cellar shall be constructed, altered, converted or occupied for living purposes; and no room in the basement shall be constructed, altered, converted or occupied for living purposes, unless, in addition to the other requirements of this act, all of the following conditions are complied with:

(1) Such room shall be at least NINE FEET high in every part from the floor to the ceiling.

(2) The ceiling of such room shall be in every part at least FOUR FEET AND SIX INCHES above the curb level of the street in front of such room; when such room or the apartment containing it is located in the rear of the building, the yard and courts upon which such room or apartment opens shall extend to a point below the floor level of said room. Every such room shall be an integral part of an apartment containing a room having a window opening directly to the street or yard.

(3) There shall be appurtenant to such room a separate water-closet, constructed and arranged as required by section thirty-four of this act.

(4) Such room shall have a window opening upon the street, or upon a yard or court. The total area of windows in such room shall be at least ONE-EIGHTH of the superficial area of the room, and the upper half of the window shall be

made to open the full width. No such window shall be less than TWELVE SQUARE FEET in area between the stop beads.

(5) All walls surrounding such room shall be damp-proof.

(6) The floor of such room shall be damp-proof and water-proof.

This section distinguishes between living rooms in cellars and basements. In new buildings cellar living rooms should not be tolerated. Basement living rooms may be permitted for the janitor and sometimes for tenants, but only under strictly regulated conditions.

The essential things are to see that the rooms are high enough, are sufficiently above ground for proper light and ventilation and are free from dampness.

Where rooms are located in the rear of the basement they should be entirely above ground. This is easily possible by requiring that the yards and courts shall be excavated to below the basement floor level. This will also prevent dampness in the walls and floor.

The last phrase in subdivision two is intended to prevent "interior" apartments in basements; that is, apartments without any room either on the street or yard. Such apartments with their rooms opening only on courts are sometimes necessary in New York in the upper stories, but they should not be permitted in a basement under any circumstances.

The ratio of window openings to the area of the room is purposely here made greater than in the case of rooms on the upper floors.

§ 31. Cellars, Damp-proofing and Lighting. Every tenement house hereafter erected shall have all walls below the ground level and the cellar or lowest floors damp-proof and water-proof. When necessary to make such walls and floors damp-proof and water-proof, the damp-proofing and water-proofing shall run through the walls and up the same as high as the ground level and shall be continued throughout the floor, and the said cellar or lowest floor shall be properly constructed so as to prevent dampness or water from entering. All cellars and basements in such tenement houses shall be properly lighted and ventilated in all their parts.

This is not a requirement that some special method of damp-proofing or water-proofing shall be employed. It means that the walls and floors below ground level shall *be* damp-proof and water-proof. In many cases the character of the soil determines this without any additional precautions. In other cases special damp-proofing is necessary. This is accomplished generally by tar paper, hot tar, asphalt and other well established methods. The requirement at the end of this section that all cellars and rooms shall be properly lighted and ventilated is very important. Cellars are the greatest source of sanitary danger in

tenement houses. When dark, they are especially likely to be piled high with accumulations of rubbish and refuse, thus becoming breeding places for disease germs. Every portion of a cellar in a new tenement should be thoroughly lighted and ventilated. This is equally important from the point of view of fire protection.

§ 32. Shafts, Courts, Areas and Yards. In every tenement house hereafter erected the bottom of all shafts, courts, areas and yards which extend to the basement or cellar shall extend SIX INCHES below the floor level of said basement or cellar. In every tenement house hereafter erected all shafts, courts, areas and yards shall be properly graded and drained, and connected with the street sewer so that all water may pass freely into it. And when required by the health department they shall be properly concreted.

This is not a requirement that all shafts, courts, areas and yards shall go down to the basement or cellar, but only in case courts do go down, that they shall extend below. The purpose of this is to prevent water, etc., from draining into the cellars or basements and to ensure them against dampness.

§ 33. Water Supply. In every tenement house hereafter erected there shall be in each apartment a proper sink with running water.

§ 34. WATER-CLOSET ACCOMMODATIONS. In every tenement house hereafter erected there shall be a separate water-closet in a separate compartment within each apartment. Each such water-closet shall be placed in a compartment completely separated from every other water-closet; such compartment shall be not less than THREE FEET wide, and shall be enclosed with plastered partitions, which shall extend to the ceiling. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size prescribed by this act. Every water-closet compartment hereafter placed in any tenement house shall be provided with proper means of lighting the same at night. If fixtures for gas or electricity are not provided in said compartment, then the door of said compartment shall be provided with translucent glass panels, not less in area than FOUR SQUARE FEET. The floor of every such water-closet compartment shall be made water-proof with asphalt, tile, stone or some other non-absorbent water-proof material; and such water-proofing shall extend at least SIX INCHES above the floor so that the said floor can be washed or flushed out without leaking. No drip trays shall be permitted. No water-closet fixtures shall be enclosed with any woodwork.

The most important part of this section is the requirement that the water-closet for each family shall be *within* the apartment. Water-

closets located in the public halls, even though not used in common, are objectionable and should not be tolerated. If located inside the apartment responsibility for their abuse can be definitely fixed. It is important that the water-closets shall be entirely enclosed; dwarf partitions should not be permitted. Each water-closet compartment must also have its own window. One large window divided between different compartments will not give adequate ventilation. The water-proof floor and six inch base is essential so that it may be flushed out. Do not permit any wooden floors or base, or the enclosing of the fixtures with wood. The woodwork becomes saturated and foul, a harboring place for vermin, and injuries to the pipes, if they exist are not readily seen or gotten at.

§ 35. Sewer Connection. No tenement house shall hereafter be erected on any street unless there is a public sewer therein, or a private sewer connecting directly with a public sewer. No cesspool or privy vault or similar means of sewage disposal shall be used in connection with any such tenement house, but every such house shall have its plumbing system connected with a public sewer before such house is occupied.

This provision will prevent the building of tenement houses in those parts of cities where there are no public sewers,—that is,

in the outlying suburban sections. If these sections are so undeveloped that public sewers have not been constructed, there is no necessity for building tenement houses, as land values are sufficiently low to warrant the erection of houses for one family or at the most two families each. Cess-pools for tenements ought never to be tolerated even when constructed "tight". They will in a short time be found to be leching, permitting the contents, especially the liquids, to permeate the soil. Where there are no sewers there is likely to be no city water-supply, and the presence of cess-pools renders water pollution easy.

§ 36. PLUMBING. In every tenement house hereafter erected no plumbing fixtures shall be enclosed with woodwork. All plumbing pipes shall be exposed, when so required by the health department. In all tenement houses hereafter erected where plumbing or other pipes pass through floors or partitions, the openings around such pipes shall be sealed or made air-tight with plaster or other incombustible materials, so as to prevent the passage of air or the spread of fire from one floor to another or from room to room. All plumbing work, except as otherwise specified in this act, shall be in accordance with the plumbing regulations of said city.

There has been no attempt to include in this law the details of plumbing construction

which are ordinarily found in plumbing codes, such as the material of pipes, sizes and weights, methods of trapping and venting fixtures, &c. It is assumed that these matters are dealt with or will be dealt with in the general plumbing code of each city.

Theoretically the plumbing pipes should be exposed. In the ordinary tenement house it is possible to do this. In high class apartment houses the tenants will object to the unsightliness of the rough plumbing in some cases. It is therefore best to give to the health department discretion as to when this shall be required.

TITLE 3—FIRE PROTECTION

§ 40. FIREPROOF TENEMENT, WHEN REQUIRED. Every tenement house hereafter erected exceeding FOUR stories or parts of stories in height above the curb level, shall be a fireproof tenement house. A cellar the ceiling of which does not extend more than two feet above the curb level is not a story within the meaning of this section.

> While this is primarily a provision for fire protection, it is important in securing better light and ventilation and as a means of preventing congestion of population. The limitation of the height of a tenement and the amount of land that may be occupied are the surest means of limiting the number of people that may live in a given area. It will be found that requiring tenements to be fireproof if above a certain height, has the effect of establishing limits for the height of the ordinary tenements. This section limits such a house to four stories and cellar, the ceiling of which is two feet above the curb. A four-story and basement building must be fireproof.

§ 41. FIRE-ESCAPES. Every tenement house hereafter erected, unless provided with fireproof outside stairways directly accessible to each apartment, shall have fire-escapes located and constructed as in this section required. All such fire-escapes shall open directly from at least one room

or private hall in each apartment at each story above the ground floor, other than a bathroom or water-closet compartment, and such room or private hall shall be an integral part of said apartment and accessible to every room thereof without passing through a public hall. Access to fire-escapes shall not be obstructed in any way. No fire-escape shall be placed in a court. Fire-escapes may project into the public highway to a distance not greater than FOUR FEET beyond the building line. All fire-escapes shall consist of outside open iron or stone balconies and stairways. All balconies shall be not less than THREE FEET in width and shall include at least one window or outside door of each apartment, at each story above the ground floor. All stairways shall be placed at an angle of not more than SIXTY degrees, with flat open steps not less than SIX INCHES in width and TWENTY INCHES in length and with a rise of not more than NINE INCHES. The openings for stairways in all balconies shall be not less than TWENTY-ONE by TWENTY-EIGHT INCHES, and shall have no covers of any kind. The balcony on the top floor, except in the case of a balcony on the street, shall be provided with a stairs or with a goose-neck ladder leading from said balcony to and above the roof and properly fastened thereto. A drop ladder or stairs shall be provided from the lowest balcony of sufficient length to reach to a safe landing place beneath.

All fire-escapes shall be constructed and erected to safely sustain in all their parts a safe load, and if of iron shall receive not less than two coats of good paint, one in the shop and one after erection. In addition to the foregoing requirements, all fire-escapes hereafter erected upon tenement houses shall be constructed in accordance with such supplementary regulations as may be adopted by the building department.

This requirement applies to both fireproof and non-fireproof tenements. Fire-escapes to be effective must be adjacent to each apartment. If tenants have to pass through a public hall to get to the fire-escape it is of little value, as the public hall is nearly always filled with smoke and flames in such cases. Access to fire-escapes must be free; if wash-tubs, sinks or other fixtures are put in the way of the window and the window thus narrowed down there may be loss of life. Fire-escapes should be either on the rear or front of the building. They are of very little use in courts, which, being small, generally become filled with smoke and flames. It is necessary to permit fire-escapes to project into the highway beyond the building line, otherwise the owner might refuse to put them up on the front of his building on the ground that he was encroaching on the highway. Without the special provision in this section his contention would be plausible. The fire-escapes should generally be iron balconies. In the

case of some high-class apartment houses owners will want to use stone in order to prevent the disfigurement of their buildings; they should be permitted to do this. No fire-escape balcony should be less than three feet in width. Fire-escapes to be effective must consist of stairs, not ladders. Women, old people, invalids and children cannot use vertical ladders. The stairs will cease to be stairs if they are permitted to be placed at too great an angle, so as to be perpendicular. Sixty degrees is the maximum angle that should be permitted; 45 would be better. The steps must be flat, not round double rungs such as are put on a ladder, as heels will catch in them and they will not seem to have the security of stairs. Covers over the openings of fire-escape balconies should not be permitted. Some people will want to provide hinged covers because of the accidents from people falling through the openings, children playing on them, etc. When fire comes, the covers will be found to be rusted down or to be covered over and cannot be moved and people will burn to death. Fire-escapes are not play-grounds. The balconies should be kept free and for purposes of escape in case of fire. Sometimes tenants cannot go down the fire-escape balconies because the flames are below them; they must be given a chance to go up. That is why a goose-neck ladder to the roof is necessary. In such cases tenants can be rescued from the roof by firemen, or more

frequently can flee to adjoining roofs. Such a ladder is as necessary on the front of the building as the rear. To require it, however, in some cases would mean disfigurement. Drop ladders are necessary from the lowest balconies; otherwise the tenants cannot get down. Such ladders should be light in weight, not too long, but always long enough to reach to the ground. All the essential requirements for fire-escape balconies, their location and construction, are contained in this section. The details of their construction, the sizes of iron, methods of bolting, &c., are safely left to supplementary regulations to be adopted by the building department.

§ 42. BULKHEADS. Every tenement house hereafter erected shall have in the roof a fireproof bulkhead with a fireproof door to the same, and shall have stairs with a guide or hand rail leading to the roof.

A bulkhead is a sort of small pent-house or structure on top of the roof; in this case, the enclosure for the stairs leading to the roof. It is necessary, because without it, the stairs cannot extend to the roof and afford means of exit that way.

§ 43. STAIRS AND PUBLIC HALLS. Every tenement house hereafter erected shall have at least one flight of stairs extending from the entrance floor to the roof, and the stairs and public halls therein shall each be at least THREE FEET SIX

INCHES wide in the clear. All stairs shall be constructed with a rise of not more than EIGHT INCHES and with treads not less than TEN INCHES wide and not less than THREE FEET SIX INCHES long in the clear. Winding stairs will not be permitted.

It is necessary to establish these minima for the rise and width of stairs both for reasons of egress in case of fire and also to protect the health of the women living in such houses. Steps with a high rise and narrow tread will be found to be very injurious to women. Winding stairs should be prohibited; in case of fire people stumble over them and pile up in a crowd at the foot of the stairs, thus seriously endangering life.

§ 44. STAIR HALLS. In tenement houses hereafter erected the stair halls shall be constructed of fireproof material throughout. The risers, strings and banisters shall be of metal or stone. The treads shall be of metal, slate or stone, or of hard wood not less than two inches thick. Wooden hand-rails to stairs will be permitted if constructed of hard wood. The floors of all such stair halls shall be constructed of iron or steel beams and fireproof filling, and no wooden flooring or sleepers shall be permitted.

The stair halls in tenement houses are the danger points in case of fire. No matter where fires start, they almost immediately

spread to the stair halls, which act as a gigantic flue. Moreover, this is the normal place of escape for the tenants. It is essential, therefore, that such portions of the building shall be fireproof throughout so that when the fire gets there, it may quickly burn itself out.

§ 45. Stair Enclosures. In every tenement house hereafter erected all stair halls shall be enclosed on all sides with brick walls not less than eight inches thick. The doors opening from such stair halls shall be fireproof and self-closing, and if provided with glass such glass shall be good quality wire glass. There shall be no transom or movable sash opening from such stair hall to any other part of the house. Each stair hall shall be shut off from all non-fireproof portions of the public halls and from all other non-fireproof parts of the building, on each story, by self-closing fireproof doors, and if glass is used in such doors it shall be of good quality wire glass.

In order to prevent fire from spreading from the stair halls to the apartments, or "mushrooming out" as it is called, the stairs must be enclosed in brick walls. Terra cotta blocks or plaster blocks or other forms of fireproof material should not be used. They may stand the fire but they will not stand the pressure from the hose. Brick walls are the only thing. Enclosing the stairs in fireproof walls will be of little use,

unless the openings in those walls are protected. These openings are the doors leading to the apartments. Such doors should be made fireproof. The standard fireproof door is wood with the sides and edges covered with metal. The doors must also be made self-closing, so that if left open in case of fire they will close themselves. If there is glass in them the glass must be wire glass but of a good quality; poor wire glass is useless. Transoms over these doors must not be permitted, for they will permit the fire to spread to the apartments.

The last sentence in this section is intended to provide for a case where there is a long public hallway on each floor and only the stair-hall portion has been made fireproof. In such case it must be shut off from the remaining non-fireproof portions by fireproof self-closing doors.

§ 46. ENTRANCE HALLS. Every entrance hall in a tenement house hereafter erected shall be at least FOUR FEET SIX INCHES wide in the clear, from the entrance up to and including the stair enclosure, and beyond this point at least THREE FEET SIX INCHES wide in the clear, and shall comply with all the conditions of the preceding sections of this chapter as to the construction of stair halls. In every tenement house hereafter erected, access shall be had from the street to the yard, either in a direct line or through a court.

The entrance hall need not be as wide behind the stair enclosure as in front of it. The extra width in front is necessary because all the tenants from the stories above may in case of fire or panic suddenly come down the stairs and attempt to come out of the building at one time. Access from street to yard is important, as a means of egress in case of fire for the tenants and as a means of access to the rear of the building in case of fire for firemen. The best access is on the ground floor in a direct line from the street by extending the entrance hall to the yard. Sometimes this is not feasible. In such cases the next best access is by a tunnel or passageway through the cellar in a straight line from the street to the yard.

§ 47. SHAFTS. In tenement houses hereafter erected all shafts shall be constructed fireproof throughout, with fireproof self-closing doors at all openings, at each story; and, if they extend to the cellar, shall also be enclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing in this section contained shall be so construed as to require such enclosures about elevators or dumbwaiters in the wellhole of stairs where the stairs themselves are enclosed in brick or stone walls, and are entirely

constructed of fireproof materials as hereinbefore provided.

§ 48. First Tier of Beams. In all tenement houses hereafter erected the first floor above the cellar, shall be constructed fireproof with iron or steel beams and fireproof flooring.

One-fourth of all tenement fires start in cellars. These frequently contain much rubbish and tenants and sometimes outsiders drop matches on the cellar floor. For these reasons the cellar is a danger point in case of fire. In order to safeguard the lives of the tenants the cellar should be completely shut off from the upper parts of the building. This should be done by a tier of fireproof beams and fireproof flooring.

§ 49. Cellar Stairs. In tenement houses hereafter erected there shall be no inside stairs communicating between the cellar or other lowest story and the floor next above, but such stairs shall in every case be located outside the building.

This requirement is enacted for the reasons given in section 48. Because of the danger from cellar fires there must be no communication between the cellar and the other parts of the building. It is slightly inconvenient for tenants to have to go outside of the building into the yard or court to go down into the cellar, but that inconvenience is not comparable with the danger arising from the other form of construction.

§ 50. Closet under First Story Stairs. In tenement houses hereafter erected no closet of any kind shall be constructed under any staircase leading from the first story to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrance.

Closets should not be permitted under the stairs leading to the upper stories. If they are, waste materials will accumulate, sometimes oily rags will be thrown into them by servants, engineers or tenants, spontaneous combustion may take place and the whole stairs suddenly be on fire.

§ 51. Cellar Entrance. In every tenement house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of the said building.

The purpose of this section is to enable the firemen to quickly get at a cellar fire.

§ 52. Wooden Tenement Houses. No wooden tenement house shall hereafter be erected, and no wooden building not now used as a tenement house shall hereafter be altered or converted to such use.

In New York and some of the larger cities, wooden tenement houses are permitted. They should not be tolerated. They are not only a danger in case of fire but when old be-

come a serious sanitary evil, filled with vermin and disease germs. No new wooden tenements are necessary. Where land values are so low that houses of brick or concrete cannot be constructed, multiple dwellings are not necessary.

CHAPTER III

ALTERATIONS

In this Chapter will be Found all the Provisions which must be Observed when a Person Proposes to Alter an Existing Tenement House.

Chapter III

ALTERATIONS

§ 60. Percentage of Lot Occupied. No tenement house shall hereafter be enlarged, or its lot be diminished, so that a greater percentage of the lot shall be occupied by buildings or structures than provided in section ten of this act.

It is obvious that it is not fair to permit an old tenement to be altered so as to cover more of the lot than a new tenement, as the conditions are naturally better in the newer building. This section not only forbids the extension of an existing tenement beyond the limits specified, but also prohibits the erection of other buildings or structures on the same lot so as to cover more land than is permitted.

§ 61. Height. No tenement house shall be increased in height so that the said building shall exceed the WIDTH of the widest street on which it stands.

This does not prohibit the increase in height of an existing tenement house, but does prohibit such increase beyond the limits allowed for new buildings.

§ 62. YARDS. No tenement house shall hereafter be enlarged or its lot be diminished, so that the yard shall be less in depth than the minimum depths prescribed in section twelve of this act for tenement houses hereafter erected. The measurements in all cases shall be taken from the extreme rear wall of the building to the rear lot line, and across the full width of the lot, and such yard shall be at every point open from the ground to the sky.

§ 63. COURTS IN EXISTING BUILDINGS. Any court used, or intended to be used, to light or ventilate rooms or water-closet compartments and which may be hereafter constructed in a tenement house erected prior to the passage of this act shall not be less in area than SIXTY-FOUR SQUARE FEET, nor less than EIGHT FEET in its least dimension in any part, and such court shall under no circumstances be roofed or covered over at the top with a roof or skylight; every such court shall be provided at the bottom with two horizontal air-intakes which shall consist of passageways each not less than three feet wide and seven feet high, which shall communicate directly with the street and yard, and shall always be left open, or be provided with an open gate at each end.

This section prescribes the limits in width and area of a new court which may be hereafter constructed in an existing house to provide light or ventilation either for rooms or

for water-closet compartments. The horizontal intakes or tunnels at the bottom are essential in order to have adequate ventilation.

§ 64. Additional Rooms and Halls. Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of chapter two of this act, except that such rooms may be of the same height as the other rooms on the same story of the house.

This is a very necessary provision, as otherwise, apartments in existing tenements could be subdivided, and dark rooms and rooms too small in size could be created.

§ 65. Rooms and Halls, Lighting and Ventilation of. No tenement house shall be so altered that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the health department.

Without this provision an extension could be added to an existing tenement house in such a way as to greatly diminish the light and ventilation of an existing room, although the new rooms thus created might have adequate light and ventilation. Similarly, without this provision it would be possible, where an existing public hallway now extends to the rear of the building from the street to the yard, affording ample light and

ventilation, to shut this off and make a room at either end of the hall, thus making the public hallways dark and without ventilation.

§ 66. Alcoves and Alcove Rooms. No part of any room in a tenement house shall hereafter be enclosed or subdivided, wholly or in part, by a curtain, portiere, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or subdivided shall contain a window as required by sections nineteen and twenty of this act, and have a floor area of not less than NINETY square feet.

Without this provision existing rooms could be subdivided and dark and small rooms constructed.

§ 67. Skylights. All new skylights hereafter placed in a tenement house shall be provided with ridge ventilators having a minimum opening of FORTY SQUARE INCHES and also with either fixed or movable louvres or with movable sashes, and shall be of such size as may be determined to be practicable by the health department.

This section does not relate to existing skylights but only to those hereafter placed in an existing house. Ridge ventilators provide a small amount of constant ventilation and are desirable. In addition, there should be louvres (which are slats similar to those seen in some church belfries). These louvres may either be fixed or movable. If fixed, it

means that there will be fresh air all the time. If the halls are steam-heated this will be found objectionable to the owner and tenants in winter. Frequently such ventilators are found in winter wrapped round with carpets and cloths. Movable louvres or movable sashes, however, will permit closing in stormy or extreme weather, and permit opening in better weather.

§ 68. Water-closet Accommodations. Every new water-closet hereafter placed in a tenement house, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of section thirty-four of this act relative to water-closets in tenement houses hereafter erected.

This section does not apply to cases where a new fixture is put in to replace a defective or old-fashioned one, provided it is put in the same place. It does, however, apply to all new water-closets that may hereafter be constructed in an existing house. The effect of it is to require that such water-closets shall be in compartments ventilated to the outer air, of proper size, with proper waterproof flooring and base, &c.

§ 69. Fireproof Tenements. No tenement house shall hereafter be altered so as to exceed FOUR stories or parts of stories in height above the curb level, unless it is a fireproof tenement

house. A cellar the ceiling of which does not extend more than two feet above the curb level is not a story within the meaning of this section.

> This section prohibits the extension in height of an existing non-fireproof tenement above the limits prescribed for new non-fireproof tenements.

§ 70. FIRE-ESCAPES. All fire-escapes hereafter constructed on any tenement house shall be located and constructed as prescribed in section forty-one of this act.

> This does not apply to fire-escapes that are already on an existing building, but to those that are hereafter constructed on such buildings.

§ 71. ROOF STAIRS. No stairs leading to the roof in any tenement house shall be removed or replaced with a ladder.

§ 72. BULKHEADS. Every bulkhead hereafter constructed in a now-existing tenement house shall be constructed as provided in section forty-two of this act, except that where the stairs and stair halls in such tenement house are not now of fireproof material such bulkhead may be of wood covered with metal. Any tenement house hereafter increased in height by placing thereon an additional story, shall be provided with a bulkhead in the roof.

If a new bulkhead is constructed on an existing house, it is obviously unnecessary to require it to be fireproof when the roof and stairs and public halls leading to it are not of fireproof construction. As all new tenements are required to have a bulkhead in the roof so as to facilitate roof egress in case of fire, it is right when an owner is adding an additional story to the building to require him to have the stairs extend to the roof.

§ 73. STAIRWAYS. No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in sections forty-three to forty-six inclusive of this act.

§ 74. SHAFTS. All shafts hereafter constructed in tenement houses shall be constructed fireproof throughout, with fireproof self-closing doors at all openings, at each story; and, if they extend to the cellar, shall also be enclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing in this section contained shall be so construed as to require such enclosures about elevators or dumbwaiters in the wellhole of stairs where the stairs themselves are enclosed in brick or stone walls, and are entirely constructed of fireproof materials as hereinbefore provided.

This section does not apply to shafts that are already in, but only to new ones that may hereafter be put in existing buildings.

§ 75. Alteration of Wooden Tenement Houses. No existing wooden tenement house shall hereafter be increased in height; nor shall it be altered so as to be occupied by more than one family on any floor.

As new wooden tenement houses are entirely forbidden, the extension of existing ones should not be permitted.

§ 76. Wooden Buildings on Same Lot with a Tenement House. No wooden building of any kind whatsoever shall hereafter be placed or built upon the same lot with a tenement house within the fire limits. And, within the fire limits, no wooden tenement house, and no wooden structure or other building on the same lot with a tenement house, shall hereafter be enlarged, extended or raised; except that a wooden extension not exceeding in total area SEVENTY SQUARE FEET may be added to an existing wooden tenement house, provided such extension is used solely for bath-rooms or water-closets.

This section is intended to prevent the erection of wooden sheds and out-buildings and similar unsightly structures on the same lot with tenement houses in built-up portions of cities. Such structures are a menace in case

of fire, and are also objectionable for sanitary reasons.

The exception made at the end of this section, permitting wooden extensions to wooden tenement houses to be used for bath-rooms or water-closets, is necessary in order to permit the carrying out of certain sanitary improvements. If privies or school sinks are removed, where the tenement house is of wood, it is unfair to compel the building of a brick extension for the new water-closets.

CHAPTER IV

MAINTENANCE

In this Chapter will be found all Provisions which an Owner must Observe with Regard to the Maintenance of a Tenement House.

Chapter IV
MAINTENANCE

§ 80. Public Halls, Lighting of in the Daytime. In every tenement house where the public halls and stairs are not in the opinion of the health department sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway, near the stairs, upon each floor, as may be necessary, from sunrise to sunset.

> This provision is for artificial light in the daytime. In some houses where the halls and stairs do not have windows to the outer air or are lighted and ventilated by courts too small in size, halls are often dark in the daytime. This section empowers the health department to require an artificial light to be kept burning as may be necessary.

§ 81. Public Halls, Lighting at Night. In every tenement house a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance floor of said house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until ten o'clock in the evening.

This is a provision for lighting the public halls and stairs at night. A light is required to be kept burning on every floor from sunset till 10 o'clock, and on the first and third floors from sunset to sunrise.

§ 82. WATER-CLOSETS IN CELLARS. No water-closet shall be maintained in the cellar of any tenement house without a special permit in writing from the health department, which shall have power to make rules and regulations governing the maintenance of such closets.

No city should permit the maintenance in the cellar of the general water-closet accommodations of a tenement house. From a sanitary point of view nothing could be worse. Sometimes it is necessary, however, to permit individual water-closets in cellars. There may be stores on the ground floor and no space for the closets there. There may be janitor's apartments in the cellars and there must be single water-closets there, but the board of health should have the power to see that all cellar water-closets are maintained under proper conditions.

§ 83. WATER-CLOSET ACCOMMODATIONS. In every tenement house existing prior to the passage of this act there shall be provided at least ONE water-closet for every TWO families.

The ideal requirement would be to have in all tenement houses one water-closet for

every family. It would be extreme in some cases to impose this on owners of existing houses. One water-closet for every two families, however, is only what decency requires. The family or the apartment is the only safe basis of measurement. One water-closet to so many occupants is impossible of enforcement, as the number of occupants of the house is a constantly shifting element. The number of apartments in the building (which is practically the number of families) is, on the other hand, a constant factor.

§ 84. Basement and Cellar Rooms. Hereafter in tenement houses erected prior to the passage of this act no room in the basement or cellar shall be occupied for living purposes without a written permit from the health department and such permit shall be kept readily accessible in the main living room of the apartment containing such room. And no such room shall hereafter be occupied unless all the following conditions are complied with. The said written permit shall be issued when all of the said conditions are complied with. If refused, the reason for such refusal shall be stated by said department in writing, and a copy thereof shall be kept in a proper book in the office of said department, and be accessible to the public.

(1) Such room shall be at least SEVEN FEET high in every part from the floor to the ceiling.

(2) The ceiling of such room shall be in every

part at least TWO FEET above the surface of the street or ground outside of or adjoining the same.

(3) There shall be appurtenant to such room the use of a water-closet.

(4) There shall be outside of and adjoining such room, and extending along the entire frontage of at least one of the rooms of the apartment, an open space of at least TWO FEET SIX INCHES wide in every part, unless such room extends for more than one-half of its height above the curb level. Such space shall be well and effectually drained.

(5) At least one of the rooms of the apartment of which such room is an integral part, shall have a window opening directly to the street or yard, of at least TWELVE SQUARE FEET in size clear of the sash frame, and which shall open readily for purposes of ventilation.

(6) The lowest floor shall be water-proof and damp-proof.

(7) Such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

In the case of rooms located in tenement houses erected prior to the passage of this act, which do not comply with all the provisions of subdivisions one, two and four of this section, the health department may issue a special permit for occupancy, provided said department shall certify in writing that such rooms have sufficient light and

ventilation, are well drained and dry, and are fit for human habitation. The procedure in such cases shall be as follows: Upon receipt of a written request from the owner stating that there are rooms in the basement or cellar which are or have been previously occupied for living purposes but which do not conform to the requirements of subdivisions one, two and four of this section, and requesting a special permit for the occupancy of such rooms, the said department shall cause an inspection to be made, and a written report filed which shall state the respects in which said rooms do not conform to the requirements of said subdivisions and whether said rooms have sufficient light and ventilation, are well drained and dry, and are fit for human habitation. No such special permit, however, shall be issued unless such facts are certified to in writing separately by at least two inspectors of said department. Such special permits shall be issued only by the head of the department or his deputies, who may require such improvements or alterations in said rooms, as may be practicable, as a condition precedent to the granting of said special permit. All reports and papers connected therewith shall be deemed public records.

No existing cellar or basement should be used for living purposes without a permit from the health department. In addition, the health department should be free not to

grant such a permit unless the rooms are fit for habitation. The essential conditions are that the rooms shall be sufficiently high, shall be reasonably above ground, have proper light and ventilation and freedom from dampness. Certain definite standards are therefore established in this section. It happens, however, in some cities, that there are rooms of this kind which have been occupied for years which are proper for occupation and which do not conform in some slight degree to these standards. For instance, instead of having the ceiling two feet above ground the ceiling may be 1 ft. 10 in. above ground. In other cases the rooms instead of being 7 ft. high may be 6 ft. 10 in. high. A provision is therefore added at the end of this section prescribing the means by which the health department may permit such rooms to be occupied. The seemingly elaborate procedure written into the law is for the purpose of preventing the improper issuance of such permits.

§ 85. Cellar Walls and Ceilings. The cellar walls and ceilings of every tenement house shall be thoroughly whitewashed or painted a light color by the owner and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health department.

§ 86. Water-Closets and Sinks. In all tenement houses the floor or other surface beneath

and around water-closets and sinks shall be maintained in good order and repair and if of wood shall be kept well painted with light colored paint.

> The purpose of this requirement, especially the painting of the woodwork underneath water-closets and sinks, is to ensure the keeping of these places in a sanitary condition. They are generally in the dark where dirt and accumulations of filth do not show.

§ 87. Repairs. Every tenement house and all the parts thereof shall be kept in good repair, and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping on to the ground or causing dampness in the walls, ceilings, yards or areas.

§ 88. Water Supply. Every tenement house shall have water furnished in sufficient quantity at one or more places on each floor occupied by or intended to be occupied by one or more families. The owner shall provide proper and suitable tanks, pumps or other appliances to receive and to distribute an adequate and sufficient supply of such water at each floor in the said house, at all times of the year, during all hours of the day and night. But a failure in the general supply of water by the city authorities shall not be construed to be a failure on the part of such owner, provided that proper and suitable appliances to receive

and distribute such water have been provided in said house.

> Each family should have running water in some place on each floor of the building in which they live, that is, where there is city water in that part of the city. This does not mean that the owner must put a sink in each apartment though this is very desirable. If a sink is placed in the public hallway on each floor it satisfies the law.

§ 89. Cleanliness of Buildings. Every tenement house and every part thereof shall be kept clean and free from any accumulation of dirt, filth and garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner of every tenement house or part thereof shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs and all other parts of the said tenement house, or part of the house of which he is the owner, to the satisfaction of the department of health, and shall keep the said parts of the said tenement house in a cleanly condition at all times.

> The requirement that the owner shall thoroughly cleanse all parts of the house does not mean that he personally shall do it, as some owners think. It simply imposes on him the responsibility for having it done.

§ 90. Walls of Courts. The walls of all courts, unless built of a light color brick or stone, shall be thoroughly whitewashed by the owner or shall be painted a light color by him, and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health department.

§ 91. Walls and Ceilings of Rooms. In all tenement houses, the health department may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such room and may require this to be renewed as often as may be necessary.

> This is an important provision and is for the purpose of improving the lighting of rooms that are too dark. A coat of white paint on the walls and ceiling will do wonders in lightening up a dark room.

§ 92. Wall Paper. No wall paper shall be placed upon a wall or ceiling of any tenement house unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

> This section does not prohibit the use of wall paper. From a sanitary point of view it would be desirable to make such prohibition but this is not possible as tenants in high class apartments and flats, as well as in

tenements, desire to decorate their homes in this way. The section does, however, prohibit the putting of any new wall paper over existing wall paper. This is necessary in view of the danger of transmission of contagious disease in this way.

§ 93. Receptacles for Ashes, Garbage and Rubbish. The owner of every tenement house shall provide for said building proper and suitable conveniences or receptacles for ashes, rubbish, garbage, refuse and other matter.

§ 94. Prohibited Uses. No horse, cow, calf, swine, sheep, goat or chickens shall be kept in a tenement house, or on the same lot or premises thereof, and no tenement house, or the lot or premises thereof shall be used for a lodging house, or for the storage or handling of rags, nor as a place of public assemblage.

It will not do to prohibit the keeping of all animals in a tenement house. Tenants naturally desire to keep cats, dogs and birds. It is highly undesirable to permit any part of a tenement house which is occupied by families and little children to be used as a common lodging house for homeless men. The storage and handling of rags cause sanitary evils and add to the discomfort of living and may endanger the lives of the tenants. No part of a tenement house should be used as a place of public assemblage. It adds to the fire dangers and destroys the peace and quiet

of the homes located in other parts of the building. This would keep moving-picture exhibitions out of such buildings.

§ 95. Combustible Materials. No tenement house, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any combustible article except under such conditions as may be prescribed by the fire department, under authority of a written permit issued by said department. No tenement house nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers or rags.

It will not do to prohibit outright the keeping of any combustible article in a tenement house, as this would prevent the sale of kerosene oil in a grocery store in an apartment house, or of benzine or alcohol in a drug store similarly located. The fire department, however, should have full authority to regulate the conditions under which such articles may be kept on the premises.

§ 96. Bakeries and Fat Boiling. No bakery and no place of business in which fat is boiled, shall be maintained in any tenement house which is not fireproof throughout.

Bakeries should not be tolerated in tenement houses. In summer the heat from the ovens is a source of great discomfort to the tenants and danger from fire is always imminent. Bakery fires are very dangerous as they occur at night when the tenants are asleep.

§ 97. Other Dangerous Businesses. There shall be no transom, window or door opening into a hall from any portion of a tenement house where paint, oil, spirituous liquors or drugs are stored for the purpose of sale or otherwise.

As the public halls and stairs of a tenement house are the danger points in case of fire, it is desirable to have no connection between them and stores in which paint, oil, drugs or liquors are stored.

This section means the closing of the side door of the saloon where such side door leads into the tenement hall. From a social point of view this is an advantage. It also means that existing transoms or door-openings must be filled in solid with the same material as the partition. Locking the door or nailing the transom will not satisfy the requirements.

§ 98. Janitor or Housekeeper. In any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper or other responsible person who shall reside in said house and have charge of the same, if the health department shall so require.

It is desirable that there should be a janitor in every tenement house unless the owner lives on the premises. In the smaller buildings occupied by three or four families this is not always feasible, as it involves too great cost to the owner. It is always desirable. Without the janitor or resident owner, tenements are apt to be kept in an unsanitary condition.

§ 99. OVERCROWDING. If a room in a tenement house is overcrowded, the health department may order the number of persons sleeping or living in said room to be so reduced that there shall not be less than SIX HUNDRED CUBIC FEET of air to each adult, and FOUR HUNDRED CUBIC FEET of air to each child under twelve years of age occupying such room.

This is a very different provision from the one found in the laws of many American cities to the effect that no room, no matter what the conditions, shall have less than 400 cubic feet of air space for each adult. The right to reduce the number of occupants of a room is here limited only to cases where there actually is overcrowding.

As has been pointed out in "Housing Reform", the number of cubic feet of air space is not the sole standard. This is a matter which should be left to the discretion of the health department, and if they find a room overcrowded they should be free to reduce the number of occupants to reasonable limits.

In addition, the minimum standard of the amount of air space is here raised from 400 cubic feet, the common standard for each adult to 600 cubic feet, and from 200 cubic feet for each child to 400 cubic feet.

§ 100. INFECTED AND UNINHABITABLE HOUSES TO BE VACATED. Whenever it shall be certified by an inspector or officer of the health department that a tenement house, or any part thereof, is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said house, the department may issue an order requiring all persons therein to vacate such house, or part thereof, within not less than twenty-four hours nor more than ten days, for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the department may cause said tenement house or part thereof to be vacated. The department whenever it is satisfied that the danger from said house or part thereof has ceased to exist, or that it is fit for human habitation, may revoke said order, or may extend the time within which to comply with the same.

This section is one of the most important sections in the whole law. It gives the

health department, under proper conditions, the right to vacate any house that is unfit for human habitation and to keep it vacant till it is made fit; and permits this without application to the courts. The health department can send its own officers to the house if its orders are not complied with, and turn the tenants into the street and keep them out. This is done every week in New York City and is the only effective method of dealing with extreme cases. It is an extreme power which should only be used where conditions entirely warrant it.

§ 101. Repairs to Buildings, &c. Whenever any tenement house or any building, structure, excavation, business pursuit, matter or thing, in or about a tenement house, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the health department in a condition or in effect dangerous or detrimental to life or health, the department may declare that the same, to the extent it may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified, as the order shall specify. The department may also order or cause any tenement house or part thereof or any excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter or thing, in or about a tenement house, or the lot on which it is situated, to be purified,

cleansed, disinfected, removed, altered, repaired or improved. If any order of the department is not complied with, or so far complied with as the department may regard as reasonable, within five days after the service thereof, or within such shorter time as the department may designate, then such order may be executed by said department through its officers, agents, employees or contractors.

> There are cases where there are conditions in a tenement which do not make the house unfit for habitation, which do not in themselves constitute a nuisance and where it has not been possible to foresee the exact conditions in the law. In such cases the health department should have the power to require the conditions to be remedied.

§ 102. Fire-Escapes. The owner of every tenement house shall keep all the fire-escapes thereon in good order and repair, and whenever rusty shall have them properly painted with two coats of paint. No person shall at any time place any incumbrance of any kind before or upon any such fire-escape.

§ 103. Scuttles, Bulkheads, Ladders and Stairs. All scuttles and bulkheads and all stairs or ladders leading thereto shall be easily accessible to all tenants of the building, and kept free from incumbrance, and ready for use at all times. No scuttle and no bulkhead door shall at any time

be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

Lives are frequently lost in tenement fires because when the tenants attempt to escape to the roof through the scuttle or bulkhead they find the scuttle nailed down or the bulkhead door locked and the key in the janitor's pocket. They then become trapped in the top floor hallway and lose their lives.

It is essential, therefore, that scuttles should be so arranged that they can be easily raised by the tenants in case of fire, and that bulkhead doors should be kept unlocked. There must, however, be some means of fastening them, otherwise thieves can get in from the outside and rob the tenants. A movable bolt or a hook will be found to be an adequate means of fastening the scuttle or door to keep intruders out, and will permit the immediate opening of the door from the inside in the event of fire.

CHAPTER V

IMPROVEMENTS

In This Chapter will be Found those Improvements in the Older Buildings which should be Required as a Matter of Compulsory Legislation.

Chapter V

IMPROVEMENTS

§ 110. Rooms, Lighting and Ventilation of. No room in a tenement house erected prior to the passage of this act shall hereafter be occupied for living purposes unless it shall have a window opening directly upon the street, or upon a yard not less than TEN feet deep, or above the roof of an adjoining building, or upon a court of not less than TWENTY square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air. Every room which does not comply with the above provisions shall be provided with a sash window, opening into an adjoining room in the same apartment which latter room either opens directly on the street or on a yard of the above dimensions, or itself connects by a similar sash window or series of windows with such an outer room. Said sash window shall be a vertically-sliding pulley-hung sash not less than three feet by five feet between stop beads, both halves shall be made so as to readily open, and the lower half shall be glazed with translucent glass, and so

far as possible it shall be in line with windows in outer rooms opening on the street or yard so as to afford a maximum of light and ventilation. In the case of rooms located in apartments that extend through from the street to the yard, thus ensuring through ventilation, where such rooms are already provided either with windows, window openings, glass sliding doors, or large alcove openings to adjoining rooms but do not comply with all the provisions of this section, the health department when satisfied that no material improvement in the light and ventilation of such rooms can be had that would warrant the providing of new windows of the size and kind specified, may permit the occupancy of such rooms for living purposes in the following cases, provided such improvements or alterations as may be practicable and as are required by said department are made by the owner:

(1) Where there is an existing window or window-opening from such interior room to an adjoining room and such window or opening is not less than TEN SQUARE FEET in area.

(2) Where there is an existing glass sliding door or an alcove opening of sufficient size from such interior room to an adjoining room.

(3) Where rooms located on the top floor open upon a court of less size than TWENTY square feet or closed at the top, but such rooms have sufficient light and ventilation.

(4) Where owing to the size of partitions, ar-

rangement of rooms, location of fixed closets or stairs, or the interposition of air-shafts, it is impracticable to provide a window of the required size, and a window as large as practicable is provided.

This provision is an attempt to deal in a practical way with dark unventilated rooms in existing houses. In effect it means that every room in an existing house shall either have a window to the outer air, (namely, the street, yard, or a court of a certain size), or shall have a large window communicating with an adjoining room in the same apartment; thus securing some improvement in the existing conditions of light and ventilation. It is important to prescribe the minimum size of such windows that may be hereafter cut into the partitions. The purpose of requiring them to be double-hung sash instead of hinged, is to ensure adequacy of ventilation. Hinged windows easily get broken and the result is that they are in a short time nailed fast, thus almost hermetically sealing the rooms. The purpose of requiring the lower sash to be of translucent glass is to ensure privacy for the people using the rooms.

There are many existing rooms which do not comply in every detail with the standards established in the first part of this section and where to cut in new windows would be unnecessary and in some cases disadvantageous. The latter part of the section is

enacted for the purpose of permitting the occupancy of such rooms, where the existing conditions are adequate, as set forth in subdivisions 1, 2, 3 and 4 of this section.

§ 111. PUBLIC HALLS, LIGHTING OF. In every tenement house whenever a public hall on any floor is not light enough in the day time to permit a person to read in every part thereof without the aid of artificial light, the wooden panels in the doors located at the ends of the public halls and opening into rooms shall be removed, and ground glass or other translucent glass or wire glass panels of an aggregate area of not less than four square feet for each door shall be substituted; or said public hall may be lighted by a window at the end thereof with the plane of the window at right angles to the axis of the said hall, said window opening upon the street or upon a yard or court.

This provision is intended to make dark halls a little lighter. It will not make them light but it will improve conditions considerably at very slight expense. It should be noted that the taking out of the wooden panels in the doors is limited to those doors which are at the ends of public halls and open directly into rooms. There are frequently doors at the sides of the public halls; removing the wooden panels from these doors would as a rule be of no benefit. It should also be noted that this requirement does not apply to doors from public halls leading into

private halls, such as will be found in the better class flats and apartments, but only to doors leading directly into rooms. Where it is possible in an existing hall to provide a window to the outer air it is far better than to take out the wooden panels in the doors.

§ 112. Public Halls, Lighting and Ventilation of. In all tenement houses erected prior to the passage of this act, the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be deemed practicable by the health department, which may order such improvements and alterations in said houses as in its judgment may be necessary to accomplish this result. All new skylights hereafter placed in such houses shall be provided with ridge ventilators having a minimum opening of FORTY SQUARE INCHES and also with either fixed or movable louvres or with movable sashes, and shall be of such size as may be determined to be practicable by said department.

This section is enacted for the purpose of giving the health authorities the power to improve in every way practicable the lighting and ventilation of existing hallways. In some cases it may be by the cutting in of a window to the street or yard; in others, to the yard of an adjoining building; while in many the only improvement that can be had will be by means of a ventilating skylight in the roof. Where such skylights are provided the

minimum requirements as to ventilation are set down. The size of the skylight will vary with the conditions in each building. There is no advantage in requiring a large skylight where there is a small stairwell or no well. Under such circumstances this would only light the hall on the top floor.

§ 113. SINKS. In all tenement houses erected prior to the passage of this act, the woodwork enclosing sinks located in the public halls or stairs shall be removed, and the space underneath said sinks shall be left open. The floors and wall surfaces beneath and around the sink shall be put in good order and repair, and if of wood shall be well painted with light-colored paint.

This is a requirement compelling the removal of all enclosing woodwork from sinks in public halls; it does not apply to sinks in individual apartments. Sinks in public halls used in common by several families if enclosed in woodwork are apt to become a sanitary evil. The woodwork becomes saturated with water and slops and is a harboring place for vermin and disease germs. Moreover, if the plumbing is defective and is enclosed, the defects are not noted. In order to show up accumulations of filth underneath them it is wise to require the floor to be painted white.

§ 114. WATER-CLOSETS. In all tenement houses erected prior to the passage of this act, the woodwork enclosing all water-closets shall be re-

moved from the front of said closets, and the space underneath the seat shall be left open. The floor or other surface beneath and around the closet shall be put in good order and repair and if of wood shall be well painted with light-colored paint.

This section is necessary for the same reasons as noted in section 113.

§ 115. Privy Vaults, School-Sinks and Water-Closets. In all tenement houses erected prior to the passage of this act, where a connection with a sewer is possible, all school-sinks, privy vaults or other similar receptacles used to receive fecal matter, urine or sewage, shall before January first, nineteen hundred and be completely removed and the place where they were located properly disinfected under the direction of the health department. Such appliances shall be replaced by individual water-closets of durable non-absorbent material, properly sewer-connected, and with individual traps, and properly-connected flush tanks providing an ample flush of water to thoroughly cleanse the bowl. Each water-closet shall be located in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than THREE SQUARE FEET in area opening directly to the street, or yard or on a court of the minimum size prescribed

in section thirteen of this act. The floors of the water-closet compartments shall be waterproof as provided in section thirty-four of this act. Where water-closets are placed in the yard to replace school-sinks or privy vaults long hopper closets may be used; but all traps, flush tanks and pipes shall be protected against the action of frost. In such cases, the structure containing the water-closets shall not exceed TEN FEET in height; such structure shall be provided with a ventilating skylight in the roof, of an adequate size, and each water-closet shall be located in a compartment completely separated from every other water-closet. Proper and adequate means for lighting the structure at night shall be provided. There shall be provided at least one water-closet for every two families in every tenement house existing on the day this act takes effect. Except as in this section otherwise provided such water-closets and all plumbing in connection therewith shall be in accordance with the ordinances and regulations in relation to plumbing and drainage.

This is the most important provision that can be enacted with regard to the improvement of the older buildings. It is one which will create the most opposition as it involves owners in considerable expense, yet all cities should unhesitatingly enact it. It requires existing privy vaults, school-sinks and similar contrivances to be done away with within a

certain time and new modern sanitary water-closets installed in their place.

A similar provision was put into effect in New York City in 1901. Its constitutionality was contested and the case went through all the courts of the state and ultimately to the Supreme Court of the United States. The law was uniformly sustained in each of these courts. While it is desirable that the new water-closets should be placed inside the tenement house it is not reasonable to require this as a matter of statute. The owner should be given the choice of placing the new closets either inside the building or in the yard, though he should be encouraged in every way to put them inside the building. Water-closets in the yard are a makeshift and almost as serious a sanitary evil as the privies which they replace. If new closets are placed in the yard they must be protected against frost. In some cities this is almost impossible without maintaining artificial heat to protect the flush tanks. Traps can be protected against frost by using a type of fixture known as the long hopper closet, which is an objectionable type as it has a large fouling surface and cannot easily be cleaned. Every effort should be made to get the new closets inside the building. This can be done by giving up one room on the ground floor or top floor to a group of closets, having each closet separately ventilated to the outer air and in a separate compartment, or it can be done by

putting one or two closets on each floor in the public hallways or between two apartments, depending upon the number of families on a floor. This is the better way. There is always space inside the building though owners will say there isn't. It means alteration, however, and readjustment and sometimes the giving up of rentable floor space.

§ 116. Basements and Cellars. The floor of the cellar or lowest floor of every tenement house shall be free from dampness and, when necessary, shall be concreted with four inches of concrete of good quality and with a finished surface. The cellar ceiling of every tenement house shall be plastered, when so required by the health department, except where such ceiling is already well sheathed with matched boards or well covered with a metal ceiling or where the first floor above the cellar is constructed of iron beams and fireproof filling.

Damp cellars cause disease. Where soil conditions are good and the cellar floor, for instance, is of rock, it is not necessary to concrete it, but whenever necessary to prevent dampness the floor should be concreted. The purpose of requiring the cellar to be plastered is to prevent cellar air from permeating the rest of the building.

§ 117. Shafts and Courts. In every tenement house there shall be, at the bottom of every shaft

and court, a door giving sufficient access to such shaft or court to enable it to be properly cleaned out. Provided, that where there is already a window giving proper access to such shaft or court, such window shall be deemed sufficient.

> Tenants frequently throw waste material out of the windows and this accumulates at the bottom of shafts and courts. Unless it is easy to get at this and clean it out, it will be neglected.

§ 118. FIRE-ESCAPES. Every tenement house shall be provided either with fireproof outside stairways or fire-escapes directly accessible to each apartment without passing through a public hallway. No existing fire-escape shall be deemed sufficient unless the following conditions are complied with:

(1) All parts of it shall be of iron or stone.

(2) Every apartment above the ground floor in each tenement house shall have a fire-escape balcony directly accessible to it without passing through a public hall.

(3) All balconies shall be properly connected with each other by adequate stairs or stationary ladders, with openings not less than TWENTY-ONE BY TWENTY-EIGHT INCHES.

(4) All fire-escapes shall have proper drop ladders from the lowest balcony of sufficient length to reach a safe landing place beneath.

(5) All fire-escapes not on the street shall have a safe and adequate means of egress from the yard or court to the street or to the adjoining premises.

(6) Prompt and ready access shall be had to all fire-escapes, which shall not be obstructed by bath-tubs, water-closets, sinks or other fixtures, or in any other way.

All fire-escapes that are already erected which do not conform to the requirements of this section may be altered by the owner to make them so conform in lieu of providing new fire-escapes, but no existing fire-escape shall be extended or have its location changed except with the written approval of the building department.

There will be found in every city many buildings not originally erected as tenement houses and which are not provided with fire-escapes. Every building, no matter when it was erected, if it has three families or more should have fire-escapes of the right kind. In addition, there will be found existing buildings with wooden fire-escapes on them which are entirely inadequate. These should be so changed as to be adequate. The minimum requirements of what constitutes an adequate fire-escape are set down in this section. It will be noted that stationary ladders are here permitted connecting the balconies, whereas in new fire-escapes they are forbidden and stairs are required. It would not be reasonable to require existing fire-escapes

now equipped with ladders to be altered and stairs substituted, as this would practically mean the complete demolition of the fire-escapes and the erection of new ones.

§ 119. Wooden Fire-Escapes. All wooden floor slats, floors, stairs, ladders, balconies or other wooden portions of now-existing fire-escapes shall be removed and replaced with iron.

§ 120. Means of Egress. Whenever a tenement house is not provided with sufficient fire-escapes or with sufficient means of egress in case of fire, the building department may order such additional fire-escapes and other means of egress as may be necessary.

This is a requirement to permit the department, where for some reason the existing means of egress are not sufficient, to impose upon the owner additional requirements calling for supplementary means of egress. This is not in any way to be construed as permitting alternative means of egress in lieu of fire-escapes.

§ 121. Scuttles, Bulkheads, Ladders and Stairs. Every tenement house erected prior to the passage of this act, shall have in the roof a bulkhead or a scuttle which shall be not less than TWENTY-ONE INCHES BY TWENTY-EIGHT INCHES. All scuttles shall be covered on the outside with metal and shall be provided with stairs or stationary ladders leading thereto and

easily accessible to all tenants of the building. No scuttle shall be located in a room, but all scuttles shall be located in the ceiling of the public hall on the top floor, and access through the scuttle to the roof shall be direct and uninterrupted. If located in a closet, said closet shall open from the public hall and the door to it shall be permanently removed, or shall be fastened only by movable bolts or hooks without key-locks. When deemed necessary by the building department scuttles shall be hinged so as to readily open. Every bulkhead in a tenement house shall have stairs with a guide or hand-rail leading to the roof, and such stairs shall be kept free from incumbrance at all times. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks. All key-locks on scuttles and on bulkhead doors shall be removed.

CHAPTER VI

REQUIREMENTS AND REMEDIES

In this Chapter will be Found the Legal Requirements, Penalties for Violations of the Law, etc.

Chapter VI

REQUIREMENTS AND REMEDIES

§ 130. Permit to Commence Building. Before the construction or alteration of a tenement house, or the alteration or conversion of a building for use as a tenement house, is commenced, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner, or his agent or architect, shall submit to the health department and to the building department separately a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for such tenement house or building, upon blanks or forms to be furnished by such departments, and also full and complete copies of the plans of such work. Such statement shall give in full the name and residence, by street and number, of the owner or owners of such tenement house or building. If such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, not only of the owner of the land, but of every person interested in such tenement house,

either as owner, lessee or in any representative capacity. Said affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement house, building, structure, lot and proposed work. The statements and affidavits herein provided for may be made by the owner, or the person who proposes to make the construction, alteration or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner, unless he shall file with the said departments a written instrument, signed by such owner, designating him as such agent. Any false swearing in a material point in any such affidavit shall be deemed perjury. Such specifications, plans and statements shall be filed in the said departments and shall be deemed public records, but no such specifications, plans or statements shall be removed from said departments. The said departments shall cause all such plans and specifications to be examined. If such plans and specifications conform to the provisions of this act relative to the light and ventilation and sanitation of tenement houses hereafter erected or altered, as the case may be, they shall be approved by the health department, and if they conform to the provisions of this act relative to the fire protection of tenement houses hereafter erected or altered, as the case may be, they shall be approved by the building department and written certificates to that

effect shall be issued by said departments respectively to the person submitting the same. Each such department may, from time to time, approve changes in any plans and specifications previously approved by it, provided the plans and specifications when so changed shall be in conformity with law. The construction, alteration or conversion of such tenement house, building or structure or any part thereof, shall not be commenced until the filing of such specifications, plans and statements, and the approval thereof, as above provided. The construction, alteration or conversion of such house, building or structure, shall be in accordance with such approved specifications and plans. Any permit or approval which may be issued by the health department and the building department but under which no work has been done above the foundation walls within one year from the time of the issuance of such permit or approval, shall expire by limitation. Said departments shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this act, or in case any false statement or representation is made in any specifications, plans or statements submitted or filed for such permit or approval.

This section provides for the procedure with regard to the filing of plans and specifications before building a new tenement house or altering an existing one. It should be

noted that the same requirements apply to the conversion of an existing building for use as a tenement house, that is, the changing of its occupancy so as to make it a tenement even though no alterations are made. The requirement that certain statements shall be "verified by the person making them", means that they shall be sworn to before a notary or a commissioner of deeds. No person should be permitted to file plans and applications unless his authority so to do is recorded in writing and signed by the owner.

§ 131. CERTIFICATE OF COMPLIANCE. No building hereafter constructed as or altered into a tenement house shall be occupied in whole or in part for human habitation until the issuance of a certificate by the health department that said building conforms in all respects to the requirements of this act relative to the light and ventilation and sanitation of tenement houses hereafter erected, nor until the issuance by the building department of a certificate that said building conforms in all respects to the requirements of this act relative to fire protection of tenement houses hereafter erected. Such certificates shall be issued within TEN DAYS after written application therefor, if said building at the date of such application shall be entitled thereto.

This is a very important requirement. It prevents the occupancy of a new tenement without a certificate that it has been built

according to law. This provision should be strictly enforced and owners should not be permitted to put tenants in new buildings without such certificates. It is no hardship to require the owner of a new building to build it in accordance with the law in every respect. It is his business to know what the law is before he builds and to comply with it.

§ 132. Unlawful Occupation. If any building hereafter constructed as or altered into a tenement house be occupied in whole or in part for human habitation in violation of the last section, during such unlawful occupation any bond or note secured by a mortgage upon said building, or the lot upon which it stands, may be declared due at the option of the mortgagee. No rent shall be recoverable by the owner or lessee of such premises for said period, and no action or special proceeding shall be maintained therefor, or for possession of said premises for non-payment of such rent. And said premises shall be deemed unfit for human habitation, and the department of health may cause them to be vacated accordingly.

This seemingly drastic provision is necessary in order to prevent the occupancy of new buildings built contrary to law and which do not have a certificate as required in section 131. The department of health should not hesitate to vacate buildings thus unlawfully occupied.

§ 133. PENALTIES FOR VIOLATIONS. Every person who shall violate or assist in the violation of any provision of this act shall be guilty of a misdemeanor punishable by imprisonment for TEN DAYS for each and every day that such violation shall continue, or by a fine of not less than TEN DOLLARS nor more than ONE HUNDRED DOLLARS if the offense be not wilful, or of TWO HUNDRED AND FIFTY DOLLARS if the offense be wilful, and in every case of TEN DOLLARS for each day after the first that such violation shall continue, or by both such fine and imprisonment in the discretion of the court; provided that the penalty for incumbrance of a fire-escape by an occupant of the tenement house shall be a fine of ten dollars, which the nearest police magistrate shall have jurisdiction to impose. The owner of any tenement house or part thereof, or of any building or structure upon the same lot with a tenement house, or of the said lot, where any violation of this act or a nuisance exists, and any person who shall violate or assist in violating any provision of this act, or any notice or order of the departments charged with its enforcement, shall also jointly and severally for each such violation and each such nuisance be subject to a civil penalty of fifty dollars. Such persons shall also be liable for all costs, expenses and disbursements paid or incurred by said departments, by any of the officers thereof or by any agent, employee or

contractor of the same, in the removal of any such nuisance or violation. Any person who having been served with a notice or order to remove any such nuisance or violation, shall fail to comply with said notice or order within FIVE DAYS after such service, or shall continue to violate any provision or requirement of this act in the respect named in said notice or order, shall also be subject to a civil penalty of two hundred and fifty dollars. For the recovery of any such penalties, costs, expenses or disbursements, an action may be brought in any court of civil jurisdiction. In case the notice required by section one hundred and thirty-seven of this act is not filed, or in case the owner, lessee or other person having control of such tenement house does not reside within the state, or can not after diligent effort be served with process therein, the existence of a nuisance or of any violation of this act, or of any violation of an order or a notice made by said departments, in said tenement house or on the lot on which it is situated, shall subject said tenement house and lot to a penalty of two hundred and fifty dollars. Said penalty shall be a lien upon said house and lot.

This section provides that any person violating the act shall be guilty of a misdemeanor, that is, subject to arrest and imprisonment or fine. It applies not only to principals but also to all subordinates, employees, workmen or others who may assist in the violation.

The section also provides for violations of orders issued by the departments charged with the enforcement of the act and renders offenders liable to a civil penalty of fifty dollars in addition to costs, expenses and disbursements. Such persons are made liable to a further penalty of $250 for failure to remove nuisances or violations within five days after service of notice so to do. It is further provided that where the owner cannot be found the house itself shall be subject to the penalty and that this shall be a lien upon the property.

§ 134. PROCEDURE. Except as herein otherwise specified, the procedure for the prevention of violations of this act, or for the vacation of premises unlawfully occupied, or for other abatement of nuisance in connection with a tenement house, shall be as set forth in charter and ordinances. In case any tenement house, building or structure or any part thereof is constructed, altered, converted or maintained in violation of any provision of this act or of any order or notice of the departments charged with its enforcement, or in case a nuisance exists in any such tenement house, building or structure or upon the lot on which it is situated, said departments may institute any appropriate action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation

of said tenement house, building or structure, or to prevent any illegal act, conduct or business in or about such tenement house or lot. In any such action or proceeding said departments may, by affidavit setting forth the facts, apply to the supreme court, or to any justice thereof, for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such tenement house, building, structure or lot, or from occupying or using the same for any purpose, until the entry of final judgment or order. In case any notice or order issued by said departments is not complied with, said departments may apply to the supreme court, or to any justice thereof, for an order authorizing said departments to execute and carry out the provisions of said notice or order, to remove any violation specified in said notice or order, or to abate any nuisance in or about such tenement house, building or structure, or the lot upon which it is situated. The court, or any justice thereof, is hereby authorized to make any order specified in this section. In no case shall the said departments or any officer thereof or the city be liable for costs in any action or proceeding that may be commenced in pursuance of this act.

Under this section the enforcing officials are given the power to bring injunction proceedings as well as to sue for penalties and proceed against persons for misdemeanor. The power

to bring such actions in the Supreme Court is also granted which is very desirable at times. Further power is granted by this section enabling the department itself to hire workmen to do work that may be necessary in extreme cases.

§ 135. LIENS. Every fine imposed by judgment under section one hundred and thirty-three of this act upon a tenement house owner shall be a lien upon the house in relation to which the fine is imposed from the time of the filing of a certified copy of said judgment in the office of the clerk of the county in which said tenement house is situated, subject only to taxes, assessments and water rates and to such mortgage and mechanics' liens as may exist thereon prior to such filing; and it shall be the duty of the department of health upon the entry of said judgment, to forthwith file the copy as aforesaid, and such copy, upon such filing, shall be forthwith indexed by the clerk in the index of mechanics' liens.

All penalties that may be imposed by judgment are made liens upon the property. This is necessary, as otherwise there would be no way of collecting them, and judgments would have no terror for owners who refused to obey the law.

§ 136. LIS PENDENS. In any action or proceeding instituted by the departments charged

with the enforcement of this act, the plaintiff or petitioner may file in the county clerk's office of the county where the property affected by such action or proceeding is situated, a notice of the pendency of such action or proceeding. Said notice may be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the code of civil procedure. Each county clerk with whom such notice is filed shall record it, and shall index it to the name of each person specified in a direction subscribed by the corporation counsel. Any such notice may be vacated upon the order of a judge or justice of the court in which such action or proceeding was instituted or is pending, or upon the consent in writing of the corporation counsel. The clerk of the county where such notice is filed is hereby directed to mark such notice and any record or docket thereof as canceled of record, upon the presentation and filing of such consent or of a certified copy of such order.

This provision enables the department to file a notice of *lis pendens* (suit pending) at the beginning of its action instead of waiting till after judgment has been rendered. Its effect is to make public the fact that there is litigation with regard to the particular building

and prevent innocent purchasers from having the property "unloaded" upon them with all the existing violations.

§ 137. Registry of Owner's Name. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file in the health department, a notice containing his name and address, and also a description of the property, by street number or otherwise, as the case may be, in such manner as will enable the said department easily to find the same; and also the number of apartments in each house, the number of rooms in each apartment, and the number of families occupying the apartments.

This section imposes upon the owner responsibility for seeing that his name and address are recorded in the health department with regard to each tenement house that he owns. The health department is thus enabled to serve the necessary orders upon the responsible person and does not have to waste time and money in attempting to find him.

§ 138. Registry of Agent's Name. Every owner, agent or lessee of a tenement house may file in the department of health a notice containing the name and address of an agent of such house, for the purpose of receiving service of process, and also a description of the property by

street number or otherwise, as the case may be, in such manner as will enable the department of health easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

This enables an owner for his convenience to file in the health department the name of a person to whom he wishes all departmental notices to be sent.

§ 139. Service of Notices and Orders. Every notice or order in relation to a tenement house shall be served FIVE DAYS before the time for doing the thing in relation to which it shall have been issued. The posting of a copy of such notice or order in a conspicuous place in the tenement house, together with the mailing of a copy thereof, on the same day that it is posted, to each person, if any, whose name has been filed with the department of health in accordance with the provisions of sections one hundred and forty and one hundred and thirty-seven of this act, at his address as therewith filed, shall be sufficient service thereof.

This permits legal service by the posting of a copy of the notice in the tenement house itself, in addition to mailing a copy to the person whose name is registered in the department. It thus does away with the delay and expense of ordinary personal service.

§ 140. Service of Summons. In any action brought by any city department in relation to a tenement house for injunction, vacation of the premises or other abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of the summons to serve the same as notices and orders are served under the provisions of the last section; provided, that if the address of any agent whose name and address have been filed in accordance with the provisions of section one hundred and thirty-eight of this act is in the city in which the tenement house is situated, then a copy of the summons shall also be delivered at such address to a person of proper age, if upon reasonable application admittance can be obtained and such person found; and provided also, that personal service of the summons upon the owner of such tenement house shall be sufficient service thereof upon him.

§ 141. Indexing Names. The names and addresses filed in accordance with sections one hundred and thirty-seven and one hundred and thirty-eight shall be indexed by the department of health, in such a manner that all of those filed in relation to each tenement house shall be together, and readily ascertainable. The board of health shall provide the necessary books and clerical assistance for that purpose, and the expense thereof shall be paid by the city. Said indexes shall be public records, open to public inspection during business hours.

§ 142. Laws Repealed. All statutes of the state and all local ordinances so far as inconsistent with the provisions of this act, are hereby repealed.

§ 143. When to Take Effect. This act shall take effect immediately.

It is essential that the act should take effect immediately. Pressure will be brought to bear to make it take effect some months after its enactment. This should not be heeded. The effect of such a provision will be the filing of plans in large quantities for every lot in the city to anticipate the new law and to permit people to build tenement houses under the provisions of the old one for many years to come. There is no hardship in making the act take effect at once, especially as architects and owners will have had ample notice of it in connection with the discussion arising during its passage through the legislature.

INDEX

INDEX

	SECTION	PAGE
ABATEMENT		
of nuisance, procedure for	100, 101, 134	84, 85, 114
ACCESS		
street to yard	46	51
through bedroom to other rooms forbidden	24	32
to bottom of shafts and courts	117	100
to plumbing pipes	36	42
ACCOMMODATIONS		
water-closet	34, 68, 83, 115	40, 63, 72, 97
ACCUMULATIONS		
of dirt, etc., forbidden	89	78
AGENT		
for service of process, name to be filed	138	118
may file plans for owner	130	107
AIR-INTAKES		
for inner courts	15, 63	26, 60
AIR-SPACE		
in rooms, amount required	99	83
ALCOVE ROOMS	22, 64, 65, 66	31, 61, 62
ALTERATION		
of building not a tenement house, subject to provisions of act relating to new buildings	3	18
of tenement houses contrary to law forbidden	4	19
ALTERATIONS		
permit necessary	130	107
provisions relating thereto	60 to 76	59 to 67
to existing tenement houses, time for	6	20
ANGLES OF COURTS	16	27
ANIMALS		
keeping of, prohibited	94	80
APARTMENT HOUSE		
definition	2 (1)	13
APPROVAL		
of plans and specifications by department	130	107

	SECTION	PAGE
ARCHITECT		
may file plans for owner	130	107
AREA		
in front of basement and cellar rooms	30, 84	36, 74
of rooms	21, 64, 65	30, 61
of windows in basement and cellar rooms	30, 84	36, 74
of windows in rooms	20	29
to be concreted, graded, drained and sewer connected	32	39
ASHES		
receptacles for	93	80
ASSEMBLAGE		
use of tenement house as place of, prohibited	94	80
BAKERIES		
prohibited	96	81
BASE		
waterproof, required for water-closet compartments	34	40
BASEMENT		
definition	2 (7)	16
floors to be watertight	31, 116	38, 100
rooms, conditions of occupancy	30, 84	36, 73
BATHROOM WINDOWS	20	29
BEAMS		
fireproof, when required	48	53
BEDROOM		
sole access through to other rooms forbidden	24	32
BUILDINGS		
altered to tenement houses	3	18
cleanliness of	89	78
dangerous, proceedings relative thereto	100, 101	84, 85
height of, how measured	2 (14)	18
on same lot with tenement house	18	28
repair of	87, 101	77, 85
wooden, not to be placed on same lot with tenement house within fire limits	76	66
BUILDING LINE		
fire escapes may project beyond	41	45
BULKHEADS	42, 72, 103, 121	48, 64, 86, 103

	SECTION	PAGE
BUSINESSES		
dangerous	97	82
CEILINGS		
cellar, to be plastered	116	100
cellar to be whitewashed or painted	85	76
no paper to be placed on same until old paper is removed,	92	79
of rooms to be painted white	91	79
to be cleaned before painting or papering	92	79
to be kept clean	89	78
CELLAR		
ceiling to be plastered	116	100
definition	2 (8)	16
entrance	51	54
floors, damp-proofing and water-proofing	31, 116	38, 100
rooms, conditions of occupancy	30, 84	36, 73
stairs inside prohibited	49	53
walls and ceilings to be whitewashed or painted	85	76
CELLARS		
conditions of occupancy	30, 84	36, 73
lighting of	31	38
to be kept clean	89	78
CERTIFICATE		
for new building before occupation	131	110
of approval of plans and specifications to be issued	130	107
CESSPOOLS		
prohibited	35	41
CHIMNEYS	23	31
CLEANLINESS		
of buildings	89	78
CLOSET		
under stairs to upper stories forbidden	50	54
COMBUSTIBLE MATERIALS		
storage of, prohibited	95	81
COMPLIANCE		
time for	6	20
CONCRETING		
of courts, shafts, areas and yards required	32	39

	SECTION	PAGE
CONDEMNATION		
of infected and uninhabitable houses, proceedings for	100	84
CONSTRUCTION		
or alteration before approval of plans forbidden	130	170
CONVERSION		
of building to tenement house	3	18
COURT		
definition	2 (3)	15
inner, definition	2 (3)	15
outer, definition	2 (3)	15
COURTS		
access to bottom	117	100
fire escapes in, forbidden	41	45
inner, intakes for	15, 63	26, 60
not to be covered at top	14	26
size of	13, 63	25, 60
to be concreted, graded, drained and sewer-connected	32	39
walls of, to be painted or white-washed	90	79
CUBIC FEET OF AIR		
required	99	83
DAMP-PROOFING		
of foundation walls	31, 116	38, 100
of lowest floors	31, 116	38, 100
DANGEROUS BUILDINGS		
proceedings relative thereto	101	85
DANGEROUS BUSINESSES	97	82
DEFINITIONS	2	13
DIRT		
accumulations of, forbidden	89	78
DISCRETIONARY POWER		
in modifying provisions of act forbidden	5	19
DRAINING		
of courts, shafts, areas and yards	32	39
DRIP TRAYS		
prohibited	34	40
DRUG STORES		
doors and transoms to halls forbidden	97	82
DUMB-WAITER SHAFTS	47, 74	52, 65

	SECTION	PAGE
EFFECT		
time when act takes	143	121
EGRESS		
in case of fire	120	103
ELEVATOR SHAFTS	47, 74	52, 65
ENCUMBRANCE		
of fire escapes	102	86
of fire escapes, penalty for	133	112
ENTRANCE		
hall, construction of	43, 46	48, 51
to cellar required	51	54
width of	46	51
EXCELSIOR		
storage of, forbidden	95	81
FAT-BOILING		
prohibited	96	81
FILING		
of lis pendens	136	116
of owner's name	137	118
of plans	130	107
FILTH		
accumulations of, forbidden	89	78
FIRE DEPARTMENT		
permit for storage of combustible materials required	95	81
FIRE ESCAPES	41, 70, 102, 118	44, 64, 86, 101
encumbrance of	102	86
in courts forbidden	41	44
FIREPLACES	23	31
FIRE PROTECTION		
provisions relative to	40 to 52	44 to 55
FIREPROOF TENEMENT HOUSE		
definition	2 (9)	16
when required	40, 69	44, 63
FLAT		
definition	2 (1)	13
FLOOR		
beneath and around water-closets to be kept in good order and painted	86, 114	76, 96
lowest, damp-proofing of	31, 116	38, 100
slats, wooden, to be removed from fire escapes	119	103

	SECTION	PAGE
FLOOR (Continued)		
surface beneath sinks in halls and stairs to be kept painted	86, 113	76, 96
water on each	33, 88	39, 77
FLOOR AREA		
of room	21	30
FLOORS		
basement and cellar, to be water-tight	31, 116	38, 100
of water-closet compartments to be waterproof	34	40
FLUSH TANKS		
for new water-closets	34, 115	40, 97
FOUNDATION WALLS		
damp proofing and water-proofing of	31	38
FRAME		
buildings, not to be placed on same lot with tenement house within fire limits	76	66
tenement houses, forbidden	52, 75	54, 66
FROST		
flush tanks, pipes and traps of new yard water-closets to be protected against	115	97
GARBAGE		
accumulations of forbidden	89	78
receptacles for	93	80
GENERAL PROVISIONS	1 to 6	13 to 20
GLASS PANELS		
in doors to public halls	111	94
GOAT		
not to be kept on premises	94	80
GRADING		
of courts, shafts, areas and yards required	32	39
HABITATION		
human, basement and cellar rooms to be fit for	30, 84	36, 73
new buildings occupied without certificate, deemed unfit for	131, 132	110, 111
HALL		
public, definition	2 (5)	15
stair, definition	2 (6)	15
HALLS		
entrance, width of	46	51

	SECTION	PAGE
HALLS (Continued)		
public, construction of	43, 45, 46, 64, 73	48, 50, 51, 61, 65
public, lighting of	25, 26, 80, 81, 111, 112	32, 34, 71, 94, 95
public, size of windows	25, 26, 27	32, 34
stair, construction of	43, 44, 45, 46, 64, 73	48, 49, 50, 51, 61, 65
stair, lighting of	27, 64, 65	34, 61
stair, size of windows	27, 64	34, 61
stair, ventilation of	27, 64, 65	34, 61
HANDLING		
and storage of rags forbidden	94	80
HAY		
storage of forbidden	95	81
HEALTH		
articles dangerous to, storage of forbidden	95	81
things dangerous or detrimental to	100	84
HEIGHT		
definition	2 (14)	18
of basement and cellar rooms	30, 84	36, 73
of non-fireproof tenement houses		4 to 5
of rooms	21, 64	30, 61
of tenement houses proportionate to width of street	11, 61	24, 59
HOPPER CLOSETS		
long, permitted in yards	115	97
HORSE		
not to be kept on premises	94	80
HOUSEKEEPER		
when necessary	98	82
HOUSING LAW		
difficulty of preparing		3
HUMAN HABITATION		
basement and cellar rooms to be fit for	30, 84	36, 73
IMPRISONMENT		
for violation of act	133	112
IMPROVEMENTS		
health department may order	101	85
compulsory	110 to 121	91 to 103
INFECTED HOUSES		
proceedings for vacation of	100	84
INNER COURT		
definition	2 (3)	15
INTAKES		
for inner courts	15	26

	SECTION	PAGE
INTERIOR ROOMS		
lighting and ventilation of	110	91
JANITOR		
or housekeeper, when necessary	98	82
JUDGMENT		
copy of, to be filed in County Clerk's office	135	116
to establish penalty as lien	135	116
LADDER		
to scuttle	103, 121	86, 103
LAW, HOUSING		
difficulty of preparation		3
New York Tenement House		3 to 5
model, objects of		5 to 6
LEADERS		
rain, necessary	87	77
LEAKY ROOFS	87	77
LEGAL PROVISIONS	130 to 143	107 to 121
LESSEE		
may file agent's name for service of process	138	118
of whole house to register name	137	118
LIENS	135	116
LIFE		
articles dangerous to, storage of forbidden	95	81
LIGHT		
and ventilation provisions	10 to 27	5, 23 to 34
sufficient for basement and cellar rooms	30, 84	36, 73
LIGHTING		
of halls	25, 26, 80, 81, 111, 112	32, 34, 71, 94, 95
of rooms	19, 64, 65, 110	29, 61, 91
LIQUOR STORES		
doors and transoms to halls forbidden	97	82
LIS PENDENS	136	116
LIVING ROOMS		
in basements and cellars, conditions of occupancy	30, 84	36, 73
LOCKING		
of scuttle and bulkhead door forbidden	103	86

	SECTION	PAGE
LODGING HOUSE		
in tenement house forbidden	94	80
LONG HOPPER CLOSETS		
in yards permitted	115	97
LOT		
percentage occupied	10, 60	23, 59
MAINTENANCE PROVISIONS	80 to 103	71 to 86
MANDATORY PROVISION		
of act	2 (12)	17
MEANS OF EGRESS		
in case of fire, additional	120	103
MISDEMEANOR		
violation of act is a	133	112
MODEL LAW		
adaptation to local conditions		8 to 10
applies only to multiple dwellings		9
classification in		6 to 8
objects in preparing		5 to 6
MODIFICATION OF LAW		
prohibited	5	19
MORTGAGE		
may be declared due if new building occupied without certificate	132	111
MUNICIPAL AUTHORITIES		
ruling of, not to modify or dispense with any provision of act	5	19
NAME		
of agent to be registered	138	118
of owner to be registered	137	118
NEW BUILDINGS		
occupied without certificate to be vacated	132	111
permit necessary	130	107
provisions applicable to	10 to 52	23 to 54
NEW YORK TENEMENT HOUSE LAW		3 to 5
complicated		3
enacted too late		4
higher standards possible		5
not ideal		4, 5
unwisdom of copying		3, 4, 5
NIGHT LIGHTING		
of halls	81	71
of water-closet compartments	34	40

	SECTION	PAGE
NOTICES		
service of	139	119
NUISANCE		
abatement of, procedure for	100, 101, 134	84, 85, 114
definition of	2 (11)	16
OCCUPANCY		
changes in	4	19
OCCUPANT		
responsible for encumbrance of fire escapes	133	112
OCCUPATION		
of basement and cellar rooms	30, 84	36, 73
of converted building without certificate forbidden	131	110
of new building without certificate unlawful	131, 132	110, 111
OPEN SPACES		5
ORDINANCES		
inconsistent with act repealed	142	121
not to modify or dispense with any provision of act	2 (12)	17
OUTER COURT		
definition	2 (3)	15
OUTSIDE STAIRS		
in lieu of fire escapes	41	44
OVERCROWDING		
prohibited	99	83
OWNER		
may file agent's name for service of process	138	118
to file plans for new buildings or alterations	130	107
to keep tenement house clean	89	78
to paint or whitewash walls of courts or shafts	90	79
to provide receptacles for garbage, ashes and refuse	93	80
OWNERS' NAMES		
registry of	137	118
PAINT STORES		
doors and transoms forbidden to halls from	97	82

	SECTION	PAGE
PAINTING		
of fire escapes	41	44
of space beneath and around water-closets and sinks	86, 113	76, 96
of walls and ceiling	85, 91	76, 79
of walls, courts and shafts	90	79
PANELS		
glass, in doors to public halls	111	94
PASSAGEWAYS		
for inner courts	15	26
PENALTIES		
for violations	133	112
PERCENTAGE		
of lot occupied	10, 60	23, 59
PERMIT		
for occupation of basement and cellar rooms	30, 84	36, 73
for storage of combustible materials	95	81
to commence new buildings or alterations	130	107
PIPES		
of new yard water-closets to be protected against frost	115	97
space around to be air-tight	36	42
PLANS		
may be amended	130	107
not to be removed from Department	130	107
to be examined	130	107
to be filed by owner or architect	130	107
to be public records	130	107
to conform to act and ordinances	130	107
PLASTERING		
of cellar ceilings	116	100
PLUMBING		
fixtures, enclosure prohibited	36	42
to be in accordance with plumbing regulations	36	42
pipes to be exposed	36	42
POSTING		
of notices lawful service	139	119
service of summons	140	120
PRIVACY	24	32
PRIVY VAULTS		
prohibited	35, 115	41, 97
PROCEDURE	134	114

	SECTION	PAGE
PROCEEDINGS		
for removal of nuisances	100, 101	84, 85
for vacation of infected and uninhabitable houses	100, 101	84, 85
PROHIBITED USES	94	80
PROTECTION		
from fire	40 to 52	44 to 54
PROVISIONS		
applicable to new buildings	10 to 52	23 to 55
general	1 to 6	13 to 20
legal	130 to 143	107 to 121
light and ventilation	10 to 27	23 to 35
not to be modified	5	19
of other acts repealed	142	121
sanitary	30 to 36	36 to 43
PUBLIC HALLS		
definition	2 (5)	15
lighting of	25, 26, 80, 81, 111	32, 34, 71, 94
construction of	43, 45, 46, 64, 73	48, 50, 51, 61, 65
PUBLIC RECORDS		
plans and specifications to be	130	107
PUMPS		
and tanks to be provided	88	77
PUNISHMENT		
for violation of act	133	112
RAGS		
storage and handling of, forbidden	94	80
RAIN LEADERS	87	77
REAR		
buildings and front, space between	18	27
tenements prohibited	17	28
RECEPTACLES		
for ashes, garbage and refuse	93	80
REFUSE		
receptacles for	93	80
REGISTRY		
of agent's name	138	118
of owner's name	137	118
REGULATIONS		
not to modify or dispense with any provision of act	2 (12)	17
plumbing	36	42
REMEDIES	130 to 143	107 to 121
REPAIRS	87, 101	77, 85

	SECTION	PAGE
REPEAL	142	121
REQUIREMENTS		
and remedies	130 to 143	107 to 121
ROOFS		
to be kept clean	89	78
to be kept in repair and not to leak	87	77
ROOMS		
alcove	22, 64, 65, 66	31, 61, 62
basement and cellar, conditions of occupancy	30, 84	36, 73
height of	21, 64	30, 61
interior, lighting and ventilation of	110	91
lighting and ventilation of	19, 64, 65, 110	29, 61, 91
not to be overcrowded	99	83
size of	21, 64, 65	30, 61
to be kept clean	89	78
walls and ceilings to be painted white	91	79
RUBBISH		
receptacles for	93	80
RULING		
of municipal authorities not to modify or dispense with any provision of act	2 (12)	17
SANITARY PROVISIONS	30 to 36	36 to 42
SCHOOL SINKS	115	97
SCUTTLES	103, 121	86, 103
SERVICE		
of notices and orders	139	119
of summons	140	120
SEWER CONNECTION		
for shafts, courts, areas and yards required	32	39
required	35	41
SHAFT		
definition	2 (4)	15
SHAFTS		
access to bottom	117	100
construction of	47, 74	52, 65
fire escapes in, forbidden	41	44
to be concreted, graded, drained and sewer connected	32	39
walls to be painted or whitewashed	90	79

	SECTION	PAGE
SHEEP		
not to be kept on premises	94	80
SINK		
in each apartment	33	39
SINKS		
in halls or stairs, woodwork under	86, 113	76, 96
school	115	97
wall surface underneath, in halls and stairs to be kept painted	86, 113	76, 96
SIZE		
of rooms	21, 64, 65	30, 61
of windows for public halls	25, 26, 27	32, 34
of windows for stair halls	27	34
SKYLIGHTS	26, 67, 112	34, 62, 95
SLATS		
wooden, to be removed from fire escapes	118	101
SPACE		
around plumbing pipes to be air-tight	36	42
underneath sinks and water-closets to be left open	86, 113	76, 96
SPECIFICATIONS		
may be amended	130	107
not to be removed from department	130	107
to be examined	130	107
to be filed by owner, agent or architect	130	107
to be public records	130	107
to conform to act and ordinances	130	107
STABLE		
in tenement house forbidden	94	80
on same premises with tenement house forbidden	94	80
STAIR HALL		
definition	2 (6)	15
lighting of	27, 64, 65	34, 61
windows	27	34
STAIRS	43, 71, 103, 121	48, 64, 86, 103
cellar, inside, prohibited	49	53
to upper stories, closet under forbidden	50	54
width of	73	65
STATUTES		
repealed	142	121

	SECTION	PAGE
STORAGE		
and handling of rags forbidden	94	80
of articles dangerous to life or health forbidden	95	81
of combustible materials prohibited	95	81
of cotton, excelsior, feed, hay, and straw forbidden	95	81
STORES		
paint, liquor and drug, doors and transoms to halls from	97	82
STRAW		
storage of, forbidden	95	81
STREET		
width of, to regulate height of new buildings	11, 61	24, 59
SUMMONS		
service of	140	120
SUPERINTENDENT OF BUILDINGS		
to grant certificate that new tenement house conforms to certain sections of act	131	110
SUPPLY		
water	33, 88	39, 77
TANKS		
and pumps to be provided	88	77
flush, of new yard water-closets to be protected against frost	115	97
TENANT		
responsible for encumbrance of fire escapes	133	112
TENEMENT HOUSE		
definition	2 (1)	13
hereafter erected, provisions applicable to	10 to 27	23 to 35
TRANSOMS		
in stair hall forbidden	45	50
to halls from paint, liquor and drug stores forbidden	97	82
TRAPS		
of new yard water-closets to be protected against frost	115	97
TRAYS		
drip, prohibited	34	40

	SECTION	PAGE
UNINHABITABLE HOUSES		
proceedings for vacation of	100	84
UNLAWFUL OCCUPATION		
of new building	132	111
USES		
prohibited	94	80
VACATION		
of new buildings occupied without certificate	132	111
of premises, procedure for	100, 101	84, 85
VAULTS		
privy	35, 115	41, 97
VENTILATING SKYLIGHTS	67, 112	62, 95
VENTILATION		
and light provisions	10 to 27	5, 23 to 35
of basement and cellar rooms	30, 84	36, 73
of interior rooms	110	91
of halls	25, 26, 27, 112	32, 34, 95
of rooms	19	29
VIOLATIONS		
penalties for	133	112
WALL		
paper	92	79
surface underneath sinks and closets in halls and stairs to be kept painted	86, 113	76, 96
WALLS		
damp-proofing of	31, 116	38, 100
no paper to be placed on same until all old paper is removed	92	79
of cellar to be whitewashed or painted	85	76
of courts and shafts to be painted or whitewashed	90, 92	79
of rooms to be painted white	91	79
to be kept clean	89	78
WATER-CLOSET		
accommodations	34, 68, 83	40, 63, 72
compartments, access to	24	32
compartments, floors to be water-proof	34	40
compartments, lighting and ventilation of	34	40
for each family	34	40

	SECTION	PAGE
WATER-CLOSET (Continued)		
seats, space underneath	86, 113	76, 96
windows	20, 82	29, 72
WATER-CLOSETS		
for basement and cellar rooms	30, 84	36, 73
in yards	115	97
one for each family	34	40
one for every two families	83, 115	72, 97
separate compartment for each	34, 115	40, 97
space beneath and around to be kept in good order and painted	86, 113	76, 96
substitution for privy vaults and school sinks required	115	97
to be kept clean	89	78
to be located within apartments	34	40
to be open	34	40
woodwork under	86, 113	76, 96
WATERPROOF BASE		
and floor required for water-closet compartments	34	40
WATERPROOFING		
of foundation walls	31, 116	38, 100
of basement and cellar floors	31, 116	38, 100
WATER SUPPLY	33, 88	39, 77
WHITEWASHING		
of cellar walls and ceilings	85	76
of walls of courts and shafts	90	79
WINDING STAIRS	43	48
WINDOWS		
for stair halls, size of	27, 64	34, 61
in basement and cellar rooms, area of	30, 84	36, 73
in interior rooms, size of	110	91
in public halls	25, 26, 27	32, 34, 42
in rooms, size of	20	29
in water-closet compartments and bath rooms	20, 34	29, 40
on street, yard or court for rooms in new buildings	19	29
WIREGLASS		
in doors from stair halls	45	50
WOODEN		
building, definition	2 (10)	16
buildings not to be placed on same lot with tenement house within fire limits	76	66

	SECTION	PAGE
WOODEN (Continued)		
fire escape balconies unlawful	119	103
floor slats to be removed from fire escapes	119	103
outside stairs as fire escape unlawful	119	103
panels in doors to public halls	111	94
tenement houses	52, 75	54, 66
WOODWORK		
enclosing sinks and closets in halls and stairs to be removed	113, 114	96
enclosing water-closet forbidden	34	40
YARD		
access to	46	51
definition	2 (2)	15
size of	12, 62	24, 60
spaces		
to be concreted, graded, drained and sewer connected	32	
water-closets	115	

A SPECIAL WORKING EDITION OF THIS BOOK

Printed on only one side of the paper, without the notes, widely leaded and with wide margins; unbound but wire-stitched at the top; suitable for cutting, pasting and interlining, is now available.

Price, postpaid, $1.25

CHARITIES PUBLICATION COMMITTEE
105 E. 22d Street, New York. 158 Adams Street, Chicago

THE

SURVEY

A JOURNAL OF CONSTRUCTIVE PHILANTHROPY

THE SURVEY is a weekly magazine for all those who believe that progress in this country hinges on social service: that legislation, city government, the care of the unfortunate, the cure of the sick, the education of children, the work of men and the homes of women, must pass muster in their relation to the common welfare.

As Critic, THE SURVEY examines conditions of life and labor, and points where they fail: how long hours, low pay, insanitary housing, disease, intemperance, indiscriminate charity, and lack of recreation, break down character and efficiency.

As Student, THE SURVEY examines immigration, industry, congestion, unemployment, to furnish a solid basis of fact for intelligent and permanent betterment.

As Program, THE SURVEY stands for Prevention: *Prevention of Poverty* through wider opportunity and adequate charity; *Prevention of Disease* through long-range systems of sanitation, of hospitals and sanatoriums, of good homes, pure food and water, a chance for play out-of-doors; *Prevention of Crime* through fair laws, juvenile courts, real reformatories, indeterminate sentence, segregation, discipline and probation; *Prevention of Inefficiency,* both industrial and civic, through practice in democracy, restriction of child labor, fair hours, fair wages, enough leisure for reading and recreation, compulsory school laws and schools that fit for life and labor, for the earning of income and for rational spending.

EDWARD T. DEVINE - - - EDITOR

GRAHAM TAYLOR - ASSOCIATE EDITOR

105 EAST 22D STREET NEW YORK

$2.00 YEARLY

158 ADAMS STREET CHICAGO